# 1AC – Cap

## 1AC – Full Framework

### Part 1: Framework

#### All moral systems must be indexed to a concept of life form.

Matthias Haase. “Practically Self-Conscious Life”.

**Ethics**, if the tradition is to be believed, **is concerned with** the question how to live or **how one ought to live.** In contemporary philosophy this formula is often thought to pick out a particular sub-domain of what is called the ‘normative’. What takes center stage in the treatment of the latter is usually not the concept of life, but the concept of a certain kind of subjective attitude or, alternatively, the notion of a special realm of reality occupied by ‘reasons’ or ‘normative facts’. A recently revived Aristotelian line of thought can be introduced as taking the traditional formula to suggest, by contrast, that **ethics** is to **[should]** be situated in **[involve] a wider reflection on the metaphysics of life.** On this view, the realm of what is expressed by words like ‘good’ and **‘ought’ extends beyond the sphere of rational agency and includes conceptions of health** and decay, **natural goodness** and defect in the ‘sub-rational’ or ‘merely conscious’ as well as in **[and] the** ‘sub-psychical’ or **‘merely vegetative’** **aspects of life.** A philosophical account of the ‘normative’ must be, ultimately, rooted in a reflection on what kind of being a living being is; and any **understanding** that can be gained **in ethics must come from a reflection on the specific kind of life in which the question how to live has a place** – a ‘practically self-conscious life’, as I will say in the following.

#### Thus, good is not created in the abstract, but rather must be indexed to the nature of each agent. A good dog is different from a good car, because a good dog has four legs, while a good car doesn’t. Only naturalism can solve an infinite regress of “ought” claims by basing what ought to be in what is.

#### Prefer naturalism additionally:

#### A. Motivation: We can’t escape our life form. Agents could always reject being a rational agent, and instead want to be a schmagent who isn’t governed by the constitutive norms of agency. If any moral code is not motivational then there is not any reason to do what is right and that code merely fails to escape the skeptical conclusion. Naturalism solves because agents can’t deny their life form because they are scientifically bound by it.

#### B. Scope: Naturalism is universal because all humans should act in accordance with the human life form, regardless of their age or physical deficiencies. So naturalism as a universal theory has broader access and ensures that all people will follow it.

#### Describing humans in descriptive terms does not accurately describe the human life form. Purely descriptive conceptions of humanity fail because humans always have the ability to change descriptive facets about our humanity. Thus, the defining feature of the human life form is the ability to labor and change the descriptive facets of the human life form.

Judy Cox 98. “An Introduction to Marx’s Theory of Alienation”. Issue 79 of INTERNATIONAL SOCIALISM. Summer 1998. <http://pubs.socialistreviewindex.org.uk/isj79/cox.htm>

Marx opposed the common sense idea that humans have a fixed nature which exists independently of the society they live in. He demonstrated that many of the features attributed to unchanging human nature in fact vary enormously in different societies. However, Marx did not reject the idea of human nature itself. He argued that the need to labour on nature to satisfy human needs was the only consistent feature of all human societies, the 'ever lasting nature-imposed condition of human existence'.4 **Human beings, like all other animals, must work on nature to survive.** The labour of humans, however, was distinguished from that of animals because human beings developed consciousness. Marx gave a famous description of this at the beginning of Capital: A spider conducts operations that resemble those of a weaver, and a bee puts to shame many an architect in the construction of her cells. But what distinguishes the worst architect from the best of bees is this, that the architect raises his structure in imagination before he erects it in reality. At the end of every labour-process, we get a result that already existed in the imagination of the labourer at its commencement.5 In a useful introduction to Marx's ideas, How to Read Karl Marx, Ernst Fischer also described what is unique about human labour. He explained how, because we act on nature consciously, **we** build on our successes and **develop new ways of producing the things we need.** This means that we have a history, whereas animals do not: **'The species-nature of animal is an eternal repetition, that of [human] man is** transformation, **development and change'.**6 **Working on nature alters not only the natural world, but also the labourer [themselves] himself.** Marx frequently reinforced this idea, as in the following quote from Capital: 'By thus acting on the external world and changing it, he at the same time changes his own nature. **He [They] develops his** slumbering **powers and compels them to act in obedience to his sway.' Thus labour is a dynamic process through which the labourer** shapes and moulds the world he lives in and **stimulates [themselves] himself to create and innovate.** Marx called our capacity for conscious labour our 'species being'.

#### Therefore, the only way to be consistent with the human life form is to allow humans to rationally reflect on and change our life form at a whim. Capitalism institutionally robs humans of our ability to do change our life form by reducing human labor to a commodity that can be bought and sold and alienating humans from the very labor that defines them.

Judy Cox 2. “An Introduction to Marx’s Theory of Alienation”. Issue 79 of INTERNATIONAL SOCIALISM. Summer 1998. <http://pubs.socialistreviewindex.org.uk/isj79/cox.htm>

Harry Braverman pointed out the consequences of this division: 'While the social division of labour subdivides society, the detailed division of labour subdivides humans, and while the subdivision of society may enhance the individual and the species, the subdivision of the individual, when carried on without regard to human capabilities and needs, is a crime against the person and humanity'.20 John Ruskin, the 19th century critic of industrialisation, made a similar point when he wrote that the division of labour is a false term because it is the men who are divided. **In this system workers become increasingly dependent on the capitalists who own the means of production. Just as the worker** 'is depressed, therefore, both intellectually and physically, to the level of a machine, and from being a man **becomes an** abstract **activity and a stomach, so [they] he also becomes** more and **dependent on** every fluctuation in the market price, in the investment of capital and on **the whims of the wealthy'.**21 **It became impossible for workers to live independently of capitalism: to work meant to be reduced to a human machine**; to be deprived of work meant living death. Without work, if capital ceases to exist for him, Marx argued the worker might as well bury himself alive: 'The existence of capital is his existence, his life, for it determines the content of his life in a manner indifferent to him'.22 There is no choice involved - work is a matter of survival. Therefore **labour became forced labour; you could not choose not to work, you could not choose what you made, and you could not choose how you made it.** Marx noted: The fact that labour is external to the worker, does not belong to his essential being; that he therefore does not confirm himself in his work, but denies himself, feels miserable and not happy, does not develop free mental and physical energy, but mortifies his flesh and ruins his mind.

#### So the standard is rejecting capitalist power structures and modes of production.

#### All impact turns must link to my normative framework—I define what is good and bad, so arguments like “capitalism decreases war” don’t operate as offense under the AC.

#### Impact Calc: Even if other ethical concerns are important, prioritize resisting cap on time frame. Trump’s neoliberal America is running rampant and it’s only getting worse.

**Bessner and Sharpe 3-22** [Daniel Bessner and Matthew Sparke 3/22/17 (Daniel Bessner is the Anne H.H. and Kenneth B. Pyle Assistant Professor in American Foreign Policy at the University of Washington. Matthew Sparke is Director of Integrated Social Sciences at the University of Washington, and author of "Introducing Globalization: Ties, Tensions and Uneven Integration.) “Don’t let his trade policy fool you: Trump is a neoliberal”. Washington Post. <https://www.washingtonpost.com/posteverything/wp/2017/03/22/dont-let-his-trade-policy-fool-you-trump-is-a-neoliberal/?utm_term=.388c185dce98>]

In his first speech to a joint session of Congress, President Trump promised to deliver on his populist campaign pledges to protect Americans from globalization. “For too long,” he bemoaned, “we’ve watched our middle class shrink as we’ve exported our jobs and wealth to foreign countries.” But now, he asserted, the time has come to “restart the engine of the American economy” and “bring back millions of jobs.” To achieve his goals, Trump proposed mixing massive tax-cuts and sweeping regulatory rollbacks with increased spending on the military, infrastructure and border control.This same messy mix of free market fundamentalism and hyper-nationalistic populism is presently taking shape in Trump’s proposed budget. But the apparent contradiction there isn’t likely to slow down Trump’s pro-market, pro-Wall Street, pro-wealth agenda. His supporters may soon discover that his professions of care for those left behind by globalization are — aside from some mostly symbolic moves on trade — empty. Just look at what has already happened with the GOP’s proposed replacement for Obamacare, which if enacted would bring increased pain and suffering to the anxious voters who put their trust in Trump’s populism in the first place. While these Americans might have thought their votes would win them protection from the instabilities and austerities of market-led globalization, what they are getting is a neoliberal president in populist clothing. Neoliberalism is a term most often used to critique market-fundamentalism rather than to define a particular policy agenda. Nonetheless, it is most useful to understand neoliberalism’s policy implications in terms of 10 norms that have defined its historical practice. These norms begin with trade liberalization and extend to the encouragement of exports; enticement of foreign investment; reduction of inflation; reduction of public spending; privatization of public services; deregulation of industry and finance; reduction and flattening of taxes; restriction of union organization; and, finally, enforcement of property and land ownership. Politicians don’t necessarily have to profess faith in all of these norms to be considered neoliberal. Rather, they have to buy into neoliberalism’s general market-based logic and its attendant promise of opportunity. When one compares these 10 neoliberal commandments with Trump’s policy agenda, it is clear that the president is far more neoliberal than his populist rhetoric would suggest. This conclusion will likely surprise his supporters, especially in light of Trump’s assaults on the Trans-Pacific Partnership and the North American Free Trade Agreement. Despite these attacks, however, Trump is clearly and consistently positioning himself to cut taxes on the wealthy, deregulate big business and the financial industry, and pursue a wide range of privatization plans and public-private partnerships that will further weaken American unions. In short, he will govern like the neoliberals who came before him and against whom he campaigned so ardently. In fact,Trump’s agenda aims to realize the foremost goals of neoliberalism: privatization, deregulation, tax-cutting, anti-unionism, and the strict enforcement of property rights. For example, in his address to Congress, Trump promised “a big, big cut” for American companies and boasted about his administration’s “historic effort to massively reduce job-crushing regulations.” Ironically, Trump then asserted that he will reduce regulations by “creating a deregulation task force inside of every government agency,” itself a contradictory expansion of the administrative state he had just sworn to shrink. Since so much of Trump’s agenda aligns with the long-standing ambitions of the Republican Party, it is likely that Trump will be able to work with Senate Majority Leader Mitch McConnell (R-Ky.) and House Speaker Paul D. Ryan (R-Wis.) to pass strictly neoliberal legislation. Unlike his approach to trade, which congressional Republicans will probably scuttle, there is little reason to doubt that we will see new legislation that privatizes public lands, overturns Dodd-Frank and other Wall Street regulations, cuts taxes on business, makes organizing unions difficult, and allows big landowners to develop, mine, log, and shoot without restraint. For all the animosity that may exist between the Trump administration and Republican congressmen, the two groups share a neoliberal vision of the world. From his new budget proposal we also know thatTrump plans to continue the neoliberal assault on social service provisions—such as the subsidies in the Affordable Care Act— as well as public broadcasting, arts funding, scientific research and foreign aid. As Trump vowed to Congress, he intends to implement a plan in which “Americans purchase their own coverage, through the use of tax credits and expanded health savings accounts.” Moreover, the money he does want to spend will be expended on military and infrastructure projects that will almost certainly be organized around public-private partnerships that will fill the coffers of Trump’s business cronies. What does Trump’s neoliberal agenda mean for those whose discontent with globalization gave him the presidency? Nothing good. The irony here is that the same neoliberalism that Trump plans to strengthen created the conditions that allowed him to enter the White House. Like Sen. Bernie Sanders (I-Vt.), Trump was correct to criticize the Obama administration, whose economic team was for a time staffed by neoliberal Democrats like Timothy Geithner and Lawrence Summers, for saving Wall Street after the financial collapse of 2008 while allowing Main Street to go under. Trump’s victory is the direct result of the fact that American workers have not been well served by the country’s policymaking elites.

#### Cap is in a crisis point, now is the time to develop medium term solutions.

Wallerstein 08[Wallerstein, Immanuel (senior research scholar at Yale University). (2008). Remembering Andre Gunder Frank While Thinking About the Future. Monthly Review, 60(2), 50–61.]

Left agendas are actually complicated things to construct. For one thing, they are really constructed in three different time frames, which I shall call long-term, medium term, and short term. Many of the arguments that pervade left discussions about left strategies confuse the three-time frames, and therefore debate at cross purposes. I shall try to talk about all three-time frames but keep them separate. When I speak however about **the** next **twenty-five year**s, I am speaking about the **middle term**, which I think **is the crucial period** to clarify. To make any sense of this discussion, **we have to think first about the world-systemic context within which an agenda of any kind can be constructed**. I have been arguing in many recent articles and books that **the capitalist** world-economy, our modern world-**system, is in a systemic crisis**, by which I mean something that is quite different from one of its repeated economic downturns or stagnations that are a built-in feature of the way it functions, or the kinds of processes that allow for the emergence of new hegemonic powers.2 What I am calling a systemic crisis **occurs only once** in the life of a historical system. It occurs **when the mechanisms** that exist **to bring** the system **back** to some kind of **equilibrium no longer function** adequately, and the system can be seen to be moving far from equilibrium, thereby becoming “chaotic.” Chaos is here a technical term that describes a situation in which a system fluctuates wildly, erratically, and severely. At that point, the system “bifurcates” and there ensues an acute struggle over which of two alternative paths to new systemic order it might take.3 The outcome of such a struggle is intrinsically unpredictable. Or to put it another way, it is equally possible that, in the end, the bifurcating system will take one path or the other. **The struggle is** thus not about whether or not to retain the current capitalist system, since it cannot survive, but **about what kind of world-system** (or world-systems) **will replace it**. I call this struggle, for reasons I shall elaborate, the struggle between the spirit of Davos and the spirit of Porto Alegre. I believe that we are already in this systemic crisis and that within twenty-five (or twenty-five to fifty) years, the issue of the choice of a replacement will be resolved. We shall find ourselves in some other kind of system, one that might be better but also one that might be worse than the present system. The long term is what will come out of that historic choice. It is therefore about that other world that is possible, to use the slogan of the World Social Forum (WSF). **The long term is** what has been **delineated in** multiple **designs of utopias**. Personally, I think it is possible to discuss the long term only in very general terms. I define a better world-system as one that is relatively democratic and relatively egalitarian. Historically, no world-system has been either democratic or egalitarian in any meaningful sense. One that would have these characteristics would be distinctively different from all previous historical world-systems. I don’t think we can say much more than that. Specifically, I do not think that we can define in advance the institutional structures that would result in a more democratic, more egalitarian world. We can draft whatever utopian models we wish. I don’t think it matters, because I don’t think that drafting such models will have too much impact on what actually emerges. The most we can probably do is to push in certain directions that we think might be helpful.

### Part 2: Strategic Silence

#### Restrictions on free speech are trending right now in the status sqo, stifling academia.

Hamer 15 [Hamer, Jennifer (Professor Department of American Studies and Department of African and African-American Studies, University of Kansas), and Clarence Lang. "Race, structural violence, and the neoliberal university: The challenges of inhabitation." Critical Sociology 41.6 (2015): 897-912.]

Even full-time faculty have confronted their own challenges, including furloughs, salary rescissions, and threats to their pensions. For many, too, **tenure exists more as a reward for conformity than as any real security for free speech** (Donoghue, 2008). Further, the advent of post-tenure review, while presented as a helpful measure to encourage senior faculty to remain intellectually active, potentially can be used to discipline them. A prevailing image of the university is that of a space of unrestricted dialogue and debate. But **incentives for self-censorship abound**. Graduate **students avoid controversy for fear of angering faculty** who have the power to make critical decisions about their academic future. Assistant **professors** feel **pressured toward** quiescence for **fear of** not getting tenure. Tenured professors bite their tongues out of concern that they may not be promoted, or that they may be passed over for a coveted appointment or leadership opportunity. Adjunct professors avoid trouble out of fear of **not having their contracts renewed**, and so on. Recent legal developments have had a chilling effect, as well. In the 2006 Garcetti v. Ceballos decision, the U.S. **Supreme Court ruled that public agencies could discipline** employees for **any speech made in connection with their jobs**. The justices set aside the matter of whether the ruling might apply to faculty at public institutions of higher education, but a string of lower court decisions since then have applied Garcetti to cases **involving faculty speech**. A recent series of social media controversies involving faculty has also buttressed the precedent set by Garcetti. In 2014, the Kansas Board of Regents implemented a restrictive social media policy following a publicized incident in which a KU journalism professor tweeted an inflammatory remark about the National Rifle Association in the wake of a mass shooting at the Washington Navy Yard in D.C. Amid pressure to terminate him, the university placed him on administrative leave. This particular Twitter fracas came shortly on the heels of a similar case at Michigan State University, where a student recorded a faculty member making disparaging anti-Republican Party comments during a classroom lecture. Perhaps the most egregious installment in the current backlash to faculty speech occurred in August 2014 at the University of Illinois at Urbana-Champaign, where the administration essentially revoked a faculty appointment to Steven Salaita after he came under intense scrutiny following tweets critical of Israeli military actions in the Gaza Strip. The decision left him unemployed, despite his earned credentials. Indeed, both tenured and untenured **instructors have lost First Amendment lawsuits against institutions of higher education far more often** than they have won (Schmidt, 2015b). In states like Wisconsin, moreover, legislators, university administrators, and regents boards have endorsed or actively pursued measures to altogether eliminate tenure and faculty involvement in university governance, which would remove the remaining fig leaf of protection that the full-time professoriat still possesses (Kelderman, 2015; Schmidt, 2015c).

#### Impacts:

#### A] Professors right now are explicitly targeted for teaching about identity, stifling other movements and spilling over to other forms of oppression.

**Moynihan 17** [Donald P. Moynihan (professor of public affairs at the University of Wisconsin-Madison), Who’s Really Placing Limits on Free Speech, NY Times, 1/9/2017]

At least three times in the past six months, **state legislators have threatened to cut the budget of** the **U**niversity of **Wisconsin** at Madison **for teaching about** homosexuality, **gender and race**.  As a faculty member who focuses on how public organizations are managed, I hear a great deal about the dangers of political correctness in higher education. Several of Wisconsin’s elected officials have joined the growing chorus of **demands for** better **protections for free speech** on campus, even as they fail to recognize how their own politicized approach to managing campuses **poses a** much more **fundamental risk** to free speech. For example, Steve Nass, a state senator from Whitewater, has urged university leaders not to give way to “the political correctness crowd demanding safe spaces, safe words, universal apologies for hurt feelings, and speech/thought police.” But last July, Senator Nass also sent a letter to university leaders to complain about an “offensive” essay assignment on gay men’s sexual preferences. A few days ago he said that a university program that explored masculinity declares war on men after asking, “Will we have the courage to reform the U.W. system in the 2017-19 biennial budget? Senator Nass is not alone. **A state representative** heading a committee that oversees higher education **asked for** the **cancellation of a course** that examined white identity **called “The Problem of Whiteness” and the dismissal of its instructor**. The representative, Dave Murphy, said the course was “adding to the polarization of the races in our state.” If the university “stands with this professor, I don’t know how the university can expect the taxpayers to stand with U.W.-Madison.” Mr. Murphy also promised to direct his staff to screen courses in the humanities “to make sure there’s legitimate education going on.  **These** examples show what’s being **left out of a narrative about a crisis of campus speech that is becoming widely accepted**. In this story, there is a battle between the traditional values of free speech and identity politics, with tolerance for disagreement being erased by an insistence on recognizing macroaggressions, safe spaces and trigger warnings.  Controversial speakers are heckled or disinvited. It’s true that these battle lines are drawn across all campuses to one degree or another, but what many people don’t realize is that they are the most pressing concerns only for elite private institutions like Oberlin and Yale. This one-sided representation of campus speech doesn’t reflect my 14 years teaching in large public institutions in Michigan, Texas and Wisconsin. In that time, no student has ever demanded that my classes include a trigger warning or asked for a safe space. But my colleagues and I have been given much more reason to worry about the ideological agendas of elected officials and politically appointed governing boards. Students can protest on the campus mall, demanding that policies be changed; elected officials can pass laws or cut resources to reflect their beliefs about how a campus should operate. One group has much more power than the other.

#### B] Even if speech codes seem like a good idea in theory, they fail in practice. University efforts on promoting equality and diversity are attempts to shroud neoliberalism within academia.

**Wagner 11** [Wagner, Anne (is assistant professor in Sociology and Child and Family Studies at Nipissing University), and June Ying Yee. "Anti-oppression in higher education: Implicating neo-liberalism." Canadian Social Work Review/Revue canadienne de service social (2011): 89-105.]

Although the effects of neoliberal thought are evident throughout the system, a concurrent focus on promoting principles of equity is also predominant within academia in the current socio-political context. These superficially contradictory ideologies may be understood as an attempt to shroud creeping neoliberalism within academia through promoting a visible commitment to social justice and equity issues. Although the original intent may have emanated from an interest in fostering change, these initiatives have largely become co-opted and their purpose weakened. As Ahmed (2007) argues, the plethora of initiatives and policies based on notions of "equity" and "diversity" have become a cornerstone of academic policy, promoted as a means of portraying a positive institutional image. However, these overused terms, she posits, are used primarily as a public relations tool rather than a vehicle for promoting social justice. The repetition of these words (albeit in ever-changing terminology) has contributed to "equity fatigue," as people within the sys- tem increasingly choose to ignore what they perceive to be unending rhetoric.Hallman (1998) has described such hollow expressions of commitment to equity principles as having a "magnanimous yet monotonous ring to [them as] ... words swirl about and descend softly like so much white liberal snow while ground disappears beneath our feet" (p. H2). In direct contrast to these realities, public promotions of equity on the part of institutions may be understood as tools used to conceal inequities, which do little to challenge the status quo of the institutional culture. Dissemination of the policy serves as a public display of the university's commitment to principles of equity, thereby becoming part of the "institutional performance" (Ahmed, 2007, p. 594) and presenting the image that the university has completed the job of addressing inequity. As Ahmed further explains, "the document becomes the fetish object . . . [and] its very existence is taken as evidence that the institutional world documented by the document (racism, inequality, injustice) has been overcome" (p. 597). Ironically, the policy becomes a substitute for any subsequent action and may in fact shut down any further consideration of the topic, rather than translating into a commitment to pursuing the issues. Hence, institutional actors are able to divest themselves of any further responsibility, satisfied that they have addressed equity concerns, while paradoxically remaining in a position of innocence, unimplicated in ongoing systems of oppression. As a result, those identified as members of traditionally marginalized groups are "invited in" and expected to adapt to the policies, practices, and culture as these exist. The need to introduce change, to foster meaningful inclusion, remains unacknowledged. Ultimately, as Ahmed (2007) forcefully argues, little actually changes, and systems of power and privilege within the organization continue unchallenged.

#### C] Censorship is never a viable political strategy: it is always rooted in an arbitrary system of state power that reproduces capitalism and shuts out reform.

Shaw 12 [Padmaja."Marx As Journalist: Revisiting The Free Speech Debate." N.p., 2010. Web. 7 Dec. 2016. http://www.triple-c.at/index.php/tripleC/article/view/389. graduated with a Masters degree in Journalism from Osmania University, India, and an MA (Telecommunications) from Michigan State University, USA. She completed a PhD in Development Studies and has been teaching at the Department of Communication and Journalism, Osmania University, India, since 1988. She has two tracks of interest: Broadcast production and political economy of communication. She contributes regularly to a media watch website, The Hoot, and writes a regular column in a local English language daily newspaper, The Hans India] \*ellipsis from original text

**Marx**’s opposition to censorship was not driven by any desire for an unregulated press. He **argued** for press laws that would be administered by independent judiciary: “… **censorship** … **makes arbitrariness into a law**. ... Just as a press law is different from a censorship law, so the judge's attitude to the press differs from the attitude of the censor. ... The independent judge belongs neither to me nor to the government. The dependent censor is himself a government organ ... The judge has a definite press offence put before him; confronting the censor is the spirit of the press. The judge judges my act according to a definite law; the censor not only punishes the crime, he makes it … The **censorship** does not accuse me of violating an existing law. It **condemns** my **opinion because it is not the opinion of the censor and his superiors.** My openly performed act, which is willing to submit itself to the world and its judgment, to the state and its law, has sentence passed on it by a hidden, purely negative power, which cannot give itself the form of law, which shuns the light of day, and which is not bound by any general principles”. “A censorship law is an impossibility because it seeks to punish not offences but opinions, because it cannot be anything but a formula for the censor, because no state has the courage to put in general legal terms what it can carry out in practice through the agency of the censor. For that reason, too, the operation of the censorship is entrusted not to the courts but to the police.” (Italics in original) (Marx 1842a) Describing true censorship as criticism that is the very essence of freedom of the press, Marx argued that censorship is criticism as government monopoly, **but** that **the government wants to apply it in secrecy and does not itself want to suffer any criticism** (Marx 1842b). Drawing a further distinction between press law and censorship he wrote: “In a press law, freedom punishes. In a censorship law, freedom is punished. The censorship law is a law of suspicion against freedom. The press law is a vote of confidence which the press gives itself. The press law punishes the misuse of freedom. The censorship law punishes freedom as misuse. ... Thus press law, far from being a repressive measure against freedom of the press, is merely a means to discourage repetition of violation through a penalty. … Laws are not repressive measures against freedom, any more than the law of gravity is a repressive measure against movement. ... Rather, laws are positive, clear, universal norms, in which freedom has won an impersonal, theoretical existence independent of the caprice of any individual. … Press law is the legal recognition of freedom”. (Marx 1842c) About freedom of the press, he wrote: “The free press is the ubiquitous vigilant eye of a people's soul, the embodiment of a people's faith in itself, the eloquent link that connects the individual with the state and the world, the embodied culture that transforms material struggles into intellectual struggles and idealises their crude material form. It is a people's frank confession to itself... It is the spiritual mirror in which a people can see itself, and self-examination is the first condition of wisdom”. (Marx 1842d). For Marx, the press is the “most general way for individuals to communicate their intellectual being. It knows no reputation of a person, but only the reputation of intelligence” (Marx, 1842e). Marx believed that **a revolutionary movement must participate in public life and educate the proletariat and that it is necessary to protect free speech**, as newspapers are the primary instruments of public communication (Hardt 2000)

### Part 3: The Rally

#### Free speech provides a starting point on which to base the class struggle.

**Farber 17** [Samuel Farber (involved in left and socialist politics for well over fifty years) A Socialist Approach to Free Speech, Jacobin Online, 2/27/17]

Indeed, **breaking the ruling class control over socioeconomic power** and establishing collective ownership **depends on democracy**: “the first step in the revolution by the working class,” proclaimed The Communist Manifesto, “is to raise the proletariat to the position of ruling class, to win the battle of democracy.” For the most part, struggles for democratic rights — such as free speech, the abolition of slavery, universal suffrage, workers’, and women’s rights — came after the bourgeois revolution. They were democratic conquests won through popular struggle. **Free speech**, free association, and other democratic freedoms **allowed workers to fight for their interests.** Some proponents of socialism from above tend to defend democratic freedoms only for the working class, but this perspective has a narrow and parochial view of a class that should be, as Lenin argued, “the tribune of the people,” the representative of the interests of the great social majority, and runs contrary to the socialist tradition’s strong emphasis on demanding universal political rights such as suffrage. In a more cynical vein, **this political current has demanded free speech and other democratic rights only when they belong to the persecuted opposition.** In contrast to this view, as Hal Draper argued in his 1968 article “Free Speech and Political Struggle”: “There can be no contradiction, no gulf in principle between what is demanded of the existing state, and what we propose for the society we want to replace it, a free society.”Consistent with this approach, we must defend free speech on its own terms, not merely because it helps to organize and fight for a new society. In this, **free speech** does not differ from the economic advances the working class and its allies have won. They are **valuable both in their own right and because they strengthen the working class and its allies in their struggle for their emancipation.**

#### College campuses are a unique site for challenging neolib in the middle term.

**Tomlinson and Lipsitz 13** [Barbara Tomlinson & George Lipsitz (Professor of Black Studies, UC Santa Barbara) (2013) Insubordinate Spaces for Intemperate Times: Countering the Pedagogies of Neoliberalism, Review of Education, Pedagogy, and Cultural Studies]

Attending to this middle-range temporality compels us to think about spatiality as well. Neoliberalism has not only ‘‘taken place’’ in the sense that historians use the phrase to connote that events happen, but **neolib**eralism **has** also taken places**, transform**ing public social sites like **classrooms** and community cultural events **into spaces for commercial exchange**. Creative **collective action**, however, **can turn these sites into insubordinate spaces** capable of **serving as crucibles for building** democratic capacities and capabilities. People seeking **alternatives to** the disciplinary subordination of **neolib**eralism can use **[using] the middle-range temporality** of the next two decades **to develop** practices, processes, and **institutions promoting** popular **ability to participate in processes of** democratic deliberation, mutual recognition, and collective accountability. Teachers and students can counter the classroom and social pedagogies of neoliberalism by cultivating new ways of knowing and new ways of being. Insubordinate spaces in the classroom can be crucibles for **radically revising existing understandings of teaching and learning**, of reading and writing, and of citizenship **and** social membership. At the same time, insubordinate spaces in communities can **be sites for** developing **new** networks of instruction, apprenticeship, and **interaction.** **Thinking in terms of the middle run allows us to teach** ourselves and **others to exploit the** fissures and **fractures** available to us. Wallerstein reminds us that the outcome of the struggle has not been foreclosed, but there is still much to do: dehegemonizing is hard work too.

#### Academia and professorial freedom is key to activism

**Jakobsen 12** [Janet R. Jakobsen (Professor of Women’s, Gender and Sexuality Studies and director of the Center for Research on Women at Barnard College, Columbia University), Collaborations, American quarterly 64.4 (2012): 809-813.]

There are potential ways to navigate this dilemma. Here I propose an approach that can preserve and build on the power of critique valued in humanistic circles, even as activist-academic collaborations contribute to both knowledge and action. The Barnard Center for Research on Women (BCRW) has worked for the past several years on collaborative projects with community-based activist organizations in New York City. Some of the leaders of these projects had a chance to reflect on activist and academic work in a recent panel discussion at Barnard, including Ai-jen Poo of the National Domestic Workers’ Association; the activist dancer and choreographer Sydnie Mosley, who created the Harlem-based “Window Sex Project”; Amber Hollibaugh of Queers for Economic Justice; and Ana Oliveira of the New York Women’s Foundation, which provided grants to seventeen community-based organizations for a citywide project on reproductive justice. As Sydnie says in the discussion, **academic** research and **resources** can **provide helpful supports to developing activist** and artistic **work**, providing materials necessary to “create the new” as Ana puts it. The resultant projects avoid certain dangers (while doubtless encountering others) by moving across various boundaries:intermixing advocacy and critique, **the empirical and the humanistic, as well as academic and activist knowledge production—sometimes “**using” academic knowledge in activist pursuits **and sometimes synthesizing knowledge produced in activist settings.** For example, Amber spoke of the “Desiring Change” project, which started with a problem in organizing: why does desire keep dropping out of organizing projects, even projects that explicitly intend to connect desire to multiple issues? Amber’s point here is not about LGBTIQ people per se but about desire, including both erotic desire(s) and desire for another, more just, world. “How,” Amber asks, “do you build a movement that expresses hope for a different world, if you don’t claim one of the possibilities for where that hope might reside?” (Embed Amber 44:46–49:15) She is particularly concerned about how clear articulations of desire—along with joy, pleasure, and erotics—can incite people to join movements and build possibilities. Yet if desire [End Page 828] repeatedly drops off the horizon as organizing progresses, could a problem lie within the model of organizing itself? The “Desiring Change” project brought together people from across organizations to ask these questions and produce new knowledge together. In other words, critique, including Amber’s critique of the state of contemporary organizing, opened new possibilities for both knowledge and action. The “Desiring Change” project was developed, in part, by activists who wanted to step back from the intensities of organizing and focus on the intellectual aspects of their projects. **The academy can provide** space and time for such reflection (albeit with increasing limitations); it can also provide **support for** the **intellectual work required to develop** organizing **projects**. In 2008 BCRW hosted the first national congress of domestic workers’ organizations, sponsored by the **National Domestic Workers’ Alliance** (NDWA), along with a follow-up northeast regional Congress in 2009. These groups **worked with** BCRW **[Barnard Center for Research on Women] to develop** a report, “Valuing Domestic Work,” that outlines the framework for their organizing along with a video highlighting their efforts. This organizing has been incredibly successful, culminating in 2010 with the **New York State Domestic Workers’ Bill of Rights, the first legislation passed in the United States to offer basic workplace protections to domestic workers.** The bill’s passage was based on NDWA’s and DWU’s analysis of domestic workers’ status as part of a group of workers excluded from the category of labor. Through histories that deny the personhood of some workers, in the United States workers in fields like domestic work, farmwork, and various forms of piece work that are associated with slavery or immigration have also been excluded from basic labor protections, including the right to time off and basic compensation for severance of employment. In addressing this problem, the bill of rights was a major victory for domestic workers, as well as a shift in labor law in the United States. Because of its argument for legislative expansion of the category “protected workers,” at one level this organizing is basic liberal humanist advocacy. At another level, however, this organizing includes a critique of precisely the autonomous individual who is the subject of modern freedom and wage labor. First, of course, the movement shows that the effects of chattel slavery are not over when labor associated with slavery is not as “free” as other forms of work. Nor is **the free market** actually free. It **does not allow for the free movement of individuals** to sell their labor **but** uses national boundaries to devalue and **coerce the labor of immigrants**. Even more profoundly, however, the work undertaken by domestic workers challenges the liberal humanist concept of [End Page 829] the autonomous individual at its core.

#### Realization of the university as a hegemonic apparatus is the only way to understand the militant class struggle.

**Sotiris 14** [Panagiotis Sotiris, Department of Sociology, University of the Aegean, “University movements as laboratories of counter-hegemony.” Aug 6, 2014.]

**The realization of a hegemonic apparatus is** also always **linked to a** transformation not just of the ideological balance of forces, but a more general **transformation of** forms of **knowledge**, consciousness **and collective practice**. ‘The realization of a hegemonic apparatus, in so far as it creates an new ideological terrain determines a reform of knowledge and of methods of knowledge: it is a fact of knowledge, a philosophical fact’ (Gramsci 1971, p. 365-366; Gramsci 1977, p. 1250 (Q10II, §12)). I think that this conception offers us a way to think both the importance of the university as a hegemonic apparatus (or to be more precise as part of the hegemonic apparatus of the bourgeoisie), **the ways the current neoliberal entrepreneurial restructuring of the university has to be related to changes to actual hegemonic strategies**, but also the political and (counter)hegemonic potential of movements within universities. This Gramscian approach can also help us understand the non-teleological historicity of the University, how it became part of the bourgeois hegemonic apparatus **as the result of** whole **history of struggles** and strategies, **at all levels.**

### Part 4: Speech Codes

#### **Bans on things like hate speech are hopelessly short sighted—it just treats the symptom of the problem in exchange for feel-good politics.**

Fisher 17 (associate editor at Reason.com, where his beats include criminal justice, civil liberties, free speech, and foreign affairs. He is also a sports and culture columnist at The Week.). “The free speech problem on campus is real. It will ultimately hurt dissidents”. Vox, Jan 2, 2017. http://www.vox.com/the-big-idea/2016/12/13/13931524/free-speech-pen-america-campus-censorship RC

The discussion of "safe spaces" has become one of the most divisive subsections of the debate over free speech on campus. PEN America’s partial endorsement of that concept may come as a surprise: The group describes the creation of "small, self-selected groups united by shared views," which could be anything from a group of five Iranian-born students kicking around stories from back home in a dormitory common room to a chapter of the Hillel club, which on some campuses consist of hundreds of Jewish students as members. But the report opposes making entire campuses "safe spaces" from discomfort. The authors argue against such a "hermetically sealed intellectual environment where inhabitants could traffic only in pre-approved ideas." This is key. **Students of all political and identity stripes should be permitted to form their own independent groups for any reason, whether it’s just to feel "at home" or express sentiments that wouldn't be as popular in the broader campus community.** But these **students should not expect their safe space to extend to every** minute of their day or every **inch of the school.** Unfortunately, some students have demanded campus-wide safe spaces, leading to such self-spiting actions as closing the campus from deliberately provocative speakers such as Milo Yiannopoulos, the Breitbart technology editor/notorious internet troll. **Rather than allowing Yiannapoulos's noxious grandstanding to serve as its own indictment, several campuses have preferred to keep their students “safe” from his outlandish views. But pretending "problematic" thought doesn’t exist won't make it so; such perspectives should be engaged, defeated, in the public arena of ideas.** In perhaps the most cogent line of the entire report, the authors write: **“Overreaction to problematic speech may impoverish the environment for speech for all.”** In the name of social justice, some students are demanding administrators become the arbiters of what speech is legitimate and what isn’t. These students don’t seem to grasp that **by granting authority figures the power to adjudicate which speakers have the right to be heard, they will inevitably find their own speech silenced when opponents claim offense, fear, or discomfort.**

#### In fact, free speech is key to students learning to REJECT oppressive views.

LeonardLeonard, James. [Professor of Law, Ohio Northern University] “Killing with Kindness: Speech Codes in the American University.” *Ohio Northern University Law Review*.Volume 19, 1993.

Perhaps the archetypal example of offensive speech was the theories of the late **Professor William Shockley** of Stanford University. Shockley was a brilliant physicist who was awarded a Nobel prize for his work in transistorization in 1956. Later in his career, however, he tired of electrical engineering and began to focus on the link between genetics and cognitive ability. 7 **His theory, in essence, was that intelligence is hereditary, that blacks were less intelligent than whites** and that heredity, therefore, made futile any attempt to correct such differences.5 8 It was not Shockley's theories alone which caused him to be vilified. Shockley was poised for action: he proposed that potential parents with IQ's under a certain threshold be paid, on a voluntary basis, not to reproduce. Many took this as **a** **lace curtain plan for genocide given that blacks tended to score lower on IQ tests than whites5.** Shockley was often invited to speak or engage in debates on university campuses; and, he was often kept from doing so by disruptive audiences or hostile university administrations. On one occasion, organized disruption prevented his participation in a scheduled debate at the Yale Political Union even though the debate had been organized at the suggestion of Roy Innis, the chairman of the Congress of Racial Equality. 60 Innis apparently felt that a nationally televised clash of views would be beneficial. 61 The invitation to Shockley was eventually rescinded after pressure and threats by several student organizations. **In contrast, Professor Stephen Carter has recounted his experience as a black Stanford undergraduate of watching a debate between Shockley and two others that he described as a "a rabble rousing psychologist who happened to be black and a world-renowned geneticist who happened to be white.**' 6a Carter explained that he approached the debate with much trepidation, and must have felt more as he watched Shockley make "mincemeat"' ' of the psychologist. **However, Carter then watched-the geneticist make Shockley look like an amateur.** Carter concluded: [I] began to wonder what all the talk of dangerousness was about .... It was then that I began to perceive the possibility that justice, **even in the sense of winning the battle against racism, would come only from confronting the truth .... The point [was] not that Shockley's arguments were correct-they were nonsense – but rather that the decision to dismiss them, . . . should have been made on the ground of scientific error, not on the ground of racist effect.** Put otherwise, the mere fact that his theories were unattractive should have had no bearing on whether they were accepted as true. **We cannot know how many students at Yale and other universities were deprived of a similar opportunity to see the clash of controversial ideas and walk away with a better understanding of their beliefs. John Stuart Mill, the 19th century philosopher, wrote in On Liberty that even wrong ideas have the beneficial effect of forcing us to re- examine and better understand our challenged beliefs."** Mill's argument, it appears, has aged well.

#### Empirics flow aff- speech codes on college campuses were policy failures.

Friedersdorf 15, 12-10-2015, "The Lessons of Bygone Free-Speech Fights," Atlantic, http://www.theatlantic.com/politics/archive/2015/12/what-student-activists-can-learn-from-bygone-free-speech-fights/419178/

He was writing after the University of Michigan, the University of Wisconsin, and Stanford implemented **speech codes** targeted at racist and sexist speech. These were efforts to respond to increasing diversity on campuses, where a number of students spewed racist and sexist speech that most everyone in this room would condemn. But those speech codes **were** policy **failures. There is no evidence that** hate speech or **bigotry decreased** on any campus that adopted them. **At Michigan**, the speech code was analyzed by Marcia Pally, a professor of multicultural studies, who found that “**black students were accused of racist speech in almost 20 cases. Students were punished** only twice under the code’s anti-racist provisions**, both times for speech** by or **on behalf of blacks**.”

## 1AC – ROB Framework

### Part 1: Framework

#### The role of the ballot and judge is to reject capitalism and reclaim higher education.

#### Our greatest ethical obligation is to resist capitalism – it’s relevant under any moral theory.

**Morgaridge 98**, Clayton, Prof of Philosophy at Lewis & Clark College, 1998, Why Capitalism is Evil 08/22 http://www.lclark.edu/~clayton/commentaries/evil.html

Now none of these philosophers are naive: none of them thinks that sympathy, love, or caring determines all, or even most, human behavior. The 20th century proves otherwise. What they do offer, though, is the hope that human beings have the capacity to want the best for each other. So now we must ask, What forces are at work in our world to block or cripple the ethical response? This question, of course, brings me back to capitalism. But before I go there, I want to acknowledge that capitalism is not the only thing that blocks our ability to care. Exploitation and cruelty were around long before the economic system of capitalism came to be, and the temptation to use and abuse others will probably survive in any future society that might supersede capitalism. Nevertheless, I want to claim, the **putting the world at the disposal of** those with **capital has done more damage to** the **ethical life than anything else**. To put it in religious terms, capital is the devil. To show why this is the case, let me turn to capital's greatest critic, Karl Marx. **Under capitalism**, Marx writes, **everything** in nature and everything that human beings are and can do **becomes an object: a resource for, or** an **obstacle, to** the expansion of production, the development of technology, the growth of **markets**, **and** the circulation of **money**. For those who manage and live from capital, nothing has value of its own. Mountain streams, clean air, human lives -- all mean nothing in themselves, but are valuable only if they can be used to turn a profit.[1] If capital looks at (not into) the human face, it sees there only eyes through which brand names and advertising can enter and mouths that can demand and consume food, drink, and tobacco products. If human faces express needs, then either products can be manufactured to meet, or seem to meet, those needs, or else, if the needs are incompatible with the growth of capital, then the faces expressing them must be unrepresented or silenced. Obviously what capitalist enterprises do have consequences for the well being of human beings and the planet we live on. **Capital profits from** the **production of** food, shelter, and all the **necessities** of life. The production of all these things uses human lives in the shape of labor, as well as the resources of the earth. If we care about life, if we see our obligations in each others faces, then we have to want all the things capital does to be governed by that care, to be directed by the ethical concern for life. But feeding people is not the aim of the food industry, or shelter the purpose of the housing industry. In medicine, making profits is becoming a more important goal than caring for sick people. As capitalist enterprises these activities aim single-mindedly at the accumulation of capital, and such purposes as caring for the sick or feeding the hungry becomes a mere means to an end, an instrument of corporate growth. Therefore **ethics**, the overriding commitment to meeting human need, **is left out of deliberations about what** the heavyweight **institutions of** our **society are going to do**. Moral convictions are expressed in churches, in living rooms, in letters to the editor, sometimes even by politicians and widely read commentators, but almost always with an attitude of resignation to the inevitable. People no longer say, "You can't stop progress," but only because they have learned not to call economic growth progress. They still think they can't stop it. And they are right -- as long as the production of all our needs and the organization of our labor is carried out under private ownership. Only a minority ("idealists") can take seriously a way of thinking that counts for nothing in real world decision making. **Only when the end of capitalism is on the table will ethics have a seat at the table.**

#### That’s key to the role of the judge as an educator because status quo schools turn students to mindless consumers.

**McLaren 08** Peter,Critical Pedagogy Against Capitalist Schooling: Towards a Socialist Alternative. An Interview with Peter McLaren http://www.globaleducationmagazine.com/critical-pedagogy-againstcapitalist-schooling-socialist-alternative-interview-peter-mclaren/-

The **epistemological presuppositions** that **undergird** neoliberal **capitalism** can be unraveled like an unspooled film; each application of neoliberal prescriptions to knowledge formation can be scrutinized in the context of the larger mise-en-scène. Cultural **theorists** have done an excellent job of **understand**ing the **impact of neolib**eral **ideology on** the production of space, place, scale, historical time, and race, gender and class identity and human agency. I agree that this is important work and we need to look at such production in relation to the commodification of everyday life. Among other things, **neolib**eral **logic is** a **logic o**f the lowest common denominator, a technocratic rationality in which value is accorded to **how much** surplus **value can be extracted** and accumulated..¶ While well-meaning progressive **educators** might be willing to criticize the manner in which humans are turned into dead objects that Marxists refer to as fetishized commodities, they **are often loathe to consider** the fact **that within capitalist society**, all **value originates in** the sphere of **production and** that one of **the** primary **roles of schools is to serve as agents** or functionaries **of capital**. Furthermore, they fail to understand that **education** is [**can be**] more **reproductive** of an exploitative social order than a constitutive challenge to it precisely **because it rests on** the foundations of **capitalist exchange value**. Reading Marx and Freire may not alchemize us into revolutionaries capable of transcending capitalism but ignoring what they had to say about transforming education in the context of class struggle would be a huge loss to our efforts.

#### Impact Calc: Even if other ethical concerns are important, prioritize resisting cap on time frame. Trump’s neoliberal America is running rampant and it’s only getting worse.

**Bessner and Sharpe 3-22** [Daniel Bessner and Matthew Sparke 3/22/17 (Daniel Bessner is the Anne H.H. and Kenneth B. Pyle Assistant Professor in American Foreign Policy at the University of Washington. Matthew Sparke is Director of Integrated Social Sciences at the University of Washington, and author of "Introducing Globalization: Ties, Tensions and Uneven Integration.) “Don’t let his trade policy fool you: Trump is a neoliberal”. Washington Post. <https://www.washingtonpost.com/posteverything/wp/2017/03/22/dont-let-his-trade-policy-fool-you-trump-is-a-neoliberal/?utm_term=.388c185dce98>]

In his first speech to a joint session of Congress, President Trump promised to deliver on his populist campaign pledges to protect Americans from globalization. “For too long,” he bemoaned, “we’ve watched our middle class shrink as we’ve exported our jobs and wealth to foreign countries.” But now, he asserted, the time has come to “restart the engine of the American economy” and “bring back millions of jobs.” To achieve his goals, Trump proposed mixing massive tax-cuts and sweeping regulatory rollbacks with increased spending on the military, infrastructure and border control.This same messy mix of free market fundamentalism and hyper-nationalistic populism is presently taking shape in Trump’s proposed budget. But the apparent contradiction there isn’t likely to slow down Trump’s pro-market, pro-Wall Street, pro-wealth agenda. His supporters may soon discover that his professions of care for those left behind by globalization are — aside from some mostly symbolic moves on trade — empty. Just look at what has already happened with the GOP’s proposed replacement for Obamacare, which if enacted would bring increased pain and suffering to the anxious voters who put their trust in Trump’s populism in the first place. While these Americans might have thought their votes would win them protection from the instabilities and austerities of market-led globalization, what they are getting is a neoliberal president in populist clothing. Neoliberalism is a term most often used to critique market-fundamentalism rather than to define a particular policy agenda. Nonetheless, it is most useful to understand neoliberalism’s policy implications in terms of 10 norms that have defined its historical practice. These norms begin with trade liberalization and extend to the encouragement of exports; enticement of foreign investment; reduction of inflation; reduction of public spending; privatization of public services; deregulation of industry and finance; reduction and flattening of taxes; restriction of union organization; and, finally, enforcement of property and land ownership. Politicians don’t necessarily have to profess faith in all of these norms to be considered neoliberal. Rather, they have to buy into neoliberalism’s general market-based logic and its attendant promise of opportunity. When one compares these 10 neoliberal commandments with Trump’s policy agenda, it is clear that the president is far more neoliberal than his populist rhetoric would suggest. This conclusion will likely surprise his supporters, especially in light of Trump’s assaults on the Trans-Pacific Partnership and the North American Free Trade Agreement. Despite these attacks, however, Trump is clearly and consistently positioning himself to cut taxes on the wealthy, deregulate big business and the financial industry, and pursue a wide range of privatization plans and public-private partnerships that will further weaken American unions. In short, he will govern like the neoliberals who came before him and against whom he campaigned so ardently. In fact,Trump’s agenda aims to realize the foremost goals of neoliberalism: privatization, deregulation, tax-cutting, anti-unionism, and the strict enforcement of property rights. For example, in his address to Congress, Trump promised “a big, big cut” for American companies and boasted about his administration’s “historic effort to massively reduce job-crushing regulations.” Ironically, Trump then asserted that he will reduce regulations by “creating a deregulation task force inside of every government agency,” itself a contradictory expansion of the administrative state he had just sworn to shrink. Since so much of Trump’s agenda aligns with the long-standing ambitions of the Republican Party, it is likely that Trump will be able to work with Senate Majority Leader Mitch McConnell (R-Ky.) and House Speaker Paul D. Ryan (R-Wis.) to pass strictly neoliberal legislation. Unlike his approach to trade, which congressional Republicans will probably scuttle, there is little reason to doubt that we will see new legislation that privatizes public lands, overturns Dodd-Frank and other Wall Street regulations, cuts taxes on business, makes organizing unions difficult, and allows big landowners to develop, mine, log, and shoot without restraint. For all the animosity that may exist between the Trump administration and Republican congressmen, the two groups share a neoliberal vision of the world. From his new budget proposal we also know thatTrump plans to continue the neoliberal assault on social service provisions—such as the subsidies in the Affordable Care Act— as well as public broadcasting, arts funding, scientific research and foreign aid. As Trump vowed to Congress, he intends to implement a plan in which “Americans purchase their own coverage, through the use of tax credits and expanded health savings accounts.” Moreover, the money he does want to spend will be expended on military and infrastructure projects that will almost certainly be organized around public-private partnerships that will fill the coffers of Trump’s business cronies. What does Trump’s neoliberal agenda mean for those whose discontent with globalization gave him the presidency? Nothing good. The irony here is that the same neoliberalism that Trump plans to strengthen created the conditions that allowed him to enter the White House. Like Sen. Bernie Sanders (I-Vt.), Trump was correct to criticize the Obama administration, whose economic team was for a time staffed by neoliberal Democrats like Timothy Geithner and Lawrence Summers, for saving Wall Street after the financial collapse of 2008 while allowing Main Street to go under. Trump’s victory is the direct result of the fact that American workers have not been well served by the country’s policymaking elites.

#### Cap is in a crisis point, now is the time to develop medium term solutions.

Wallerstein 08[Wallerstein, Immanuel (senior research scholar at Yale University). (2008). Remembering Andre Gunder Frank While Thinking About the Future. Monthly Review, 60(2), 50–61.]

Left agendas are actually complicated things to construct. For one thing, they are really constructed in three different time frames, which I shall call long-term, medium term, and short term. Many of the arguments that pervade left discussions about left strategies confuse the three-time frames, and therefore debate at cross purposes. I shall try to talk about all three-time frames but keep them separate. When I speak however about **the** next **twenty-five year**s, I am speaking about the **middle term**, which I think **is the crucial period** to clarify. To make any sense of this discussion, **we have to think first about the world-systemic context within which an agenda of any kind can be constructed**. I have been arguing in many recent articles and books that **the capitalist** world-economy, our modern world-**system, is in a systemic crisis**, by which I mean something that is quite different from one of its repeated economic downturns or stagnations that are a built-in feature of the way it functions, or the kinds of processes that allow for the emergence of new hegemonic powers.2 What I am calling a systemic crisis **occurs only once** in the life of a historical system. It occurs **when the mechanisms** that exist **to bring** the system **back** to some kind of **equilibrium no longer function** adequately, and the system can be seen to be moving far from equilibrium, thereby becoming “chaotic.” Chaos is here a technical term that describes a situation in which a system fluctuates wildly, erratically, and severely. At that point, the system “bifurcates” and there ensues an acute struggle over which of two alternative paths to new systemic order it might take.3 The outcome of such a struggle is intrinsically unpredictable. Or to put it another way, it is equally possible that, in the end, the bifurcating system will take one path or the other. **The struggle is** thus not about whether or not to retain the current capitalist system, since it cannot survive, but **about what kind of world-system** (or world-systems) **will replace it**. I call this struggle, for reasons I shall elaborate, the struggle between the spirit of Davos and the spirit of Porto Alegre. I believe that we are already in this systemic crisis and that within twenty-five (or twenty-five to fifty) years, the issue of the choice of a replacement will be resolved. We shall find ourselves in some other kind of system, one that might be better but also one that might be worse than the present system. The long term is what will come out of that historic choice. It is therefore about that other world that is possible, to use the slogan of the World Social Forum (WSF). **The long term is** what has been **delineated in** multiple **designs of utopias**. Personally, I think it is possible to discuss the long term only in very general terms. I define a better world-system as one that is relatively democratic and relatively egalitarian. Historically, no world-system has been either democratic or egalitarian in any meaningful sense. One that would have these characteristics would be distinctively different from all previous historical world-systems. I don’t think we can say much more than that. Specifically, I do not think that we can define in advance the institutional structures that would result in a more democratic, more egalitarian world. We can draft whatever utopian models we wish. I don’t think it matters, because I don’t think that drafting such models will have too much impact on what actually emerges. The most we can probably do is to push in certain directions that we think might be helpful.

### Part 2: Strategic Silence

#### Restrictions on free speech are trending right now in the status sqo, stifling academia.

Hamer 15 [Hamer, Jennifer (Professor Department of American Studies and Department of African and African-American Studies, University of Kansas), and Clarence Lang. "Race, structural violence, and the neoliberal university: The challenges of inhabitation." Critical Sociology 41.6 (2015): 897-912.]

Even full-time faculty have confronted their own challenges, including furloughs, salary rescissions, and threats to their pensions. For many, too, **tenure exists more as a reward for conformity than as any real security for free speech** (Donoghue, 2008). Further, the advent of post-tenure review, while presented as a helpful measure to encourage senior faculty to remain intellectually active, potentially can be used to discipline them. A prevailing image of the university is that of a space of unrestricted dialogue and debate. But **incentives for self-censorship abound**. Graduate **students avoid controversy for fear of angering faculty** who have the power to make critical decisions about their academic future. Assistant **professors** feel **pressured toward** quiescence for **fear of** not getting tenure. Tenured professors bite their tongues out of concern that they may not be promoted, or that they may be passed over for a coveted appointment or leadership opportunity. Adjunct professors avoid trouble out of fear of **not having their contracts renewed**, and so on. Recent legal developments have had a chilling effect, as well. In the 2006 Garcetti v. Ceballos decision, the U.S. **Supreme Court ruled that public agencies could discipline** employees for **any speech made in connection with their jobs**. The justices set aside the matter of whether the ruling might apply to faculty at public institutions of higher education, but a string of lower court decisions since then have applied Garcetti to cases **involving faculty speech**. A recent series of social media controversies involving faculty has also buttressed the precedent set by Garcetti. In 2014, the Kansas Board of Regents implemented a restrictive social media policy following a publicized incident in which a KU journalism professor tweeted an inflammatory remark about the National Rifle Association in the wake of a mass shooting at the Washington Navy Yard in D.C. Amid pressure to terminate him, the university placed him on administrative leave. This particular Twitter fracas came shortly on the heels of a similar case at Michigan State University, where a student recorded a faculty member making disparaging anti-Republican Party comments during a classroom lecture. Perhaps the most egregious installment in the current backlash to faculty speech occurred in August 2014 at the University of Illinois at Urbana-Champaign, where the administration essentially revoked a faculty appointment to Steven Salaita after he came under intense scrutiny following tweets critical of Israeli military actions in the Gaza Strip. The decision left him unemployed, despite his earned credentials. Indeed, both tenured and untenured **instructors have lost First Amendment lawsuits against institutions of higher education far more often** than they have won (Schmidt, 2015b). In states like Wisconsin, moreover, legislators, university administrators, and regents boards have endorsed or actively pursued measures to altogether eliminate tenure and faculty involvement in university governance, which would remove the remaining fig leaf of protection that the full-time professoriat still possesses (Kelderman, 2015; Schmidt, 2015c).

#### Impacts:

#### A] Professors right now are explicitly targeted for teaching about identity, stifling other movements and spilling over to other forms of oppression.

**Moynihan 17** [Donald P. Moynihan (professor of public affairs at the University of Wisconsin-Madison), Who’s Really Placing Limits on Free Speech, NY Times, 1/9/2017]

At least three times in the past six months, **state legislators have threatened to cut the budget of** the **U**niversity of **Wisconsin** at Madison **for teaching about** homosexuality, **gender and race**.  As a faculty member who focuses on how public organizations are managed, I hear a great deal about the dangers of political correctness in higher education. Several of Wisconsin’s elected officials have joined the growing chorus of **demands for** better **protections for free speech** on campus, even as they fail to recognize how their own politicized approach to managing campuses **poses a** much more **fundamental risk** to free speech. For example, Steve Nass, a state senator from Whitewater, has urged university leaders not to give way to “the political correctness crowd demanding safe spaces, safe words, universal apologies for hurt feelings, and speech/thought police.” But last July, Senator Nass also sent a letter to university leaders to complain about an “offensive” essay assignment on gay men’s sexual preferences. A few days ago he said that a university program that explored masculinity declares war on men after asking, “Will we have the courage to reform the U.W. system in the 2017-19 biennial budget? Senator Nass is not alone. **A state representative** heading a committee that oversees higher education **asked for** the **cancellation of a course** that examined white identity **called “The Problem of Whiteness” and the dismissal of its instructor**. The representative, Dave Murphy, said the course was “adding to the polarization of the races in our state.” If the university “stands with this professor, I don’t know how the university can expect the taxpayers to stand with U.W.-Madison.” Mr. Murphy also promised to direct his staff to screen courses in the humanities “to make sure there’s legitimate education going on.  **These** examples show what’s being **left out of a narrative about a crisis of campus speech that is becoming widely accepted**. In this story, there is a battle between the traditional values of free speech and identity politics, with tolerance for disagreement being erased by an insistence on recognizing macroaggressions, safe spaces and trigger warnings.  Controversial speakers are heckled or disinvited. It’s true that these battle lines are drawn across all campuses to one degree or another, but what many people don’t realize is that they are the most pressing concerns only for elite private institutions like Oberlin and Yale. This one-sided representation of campus speech doesn’t reflect my 14 years teaching in large public institutions in Michigan, Texas and Wisconsin. In that time, no student has ever demanded that my classes include a trigger warning or asked for a safe space. But my colleagues and I have been given much more reason to worry about the ideological agendas of elected officials and politically appointed governing boards. Students can protest on the campus mall, demanding that policies be changed; elected officials can pass laws or cut resources to reflect their beliefs about how a campus should operate. One group has much more power than the other.

#### B] Even if speech codes seem like a good idea in theory, they fail in practice. University efforts on promoting equality and diversity are attempts to shroud neoliberalism within academia.

**Wagner 11** [Wagner, Anne (is assistant professor in Sociology and Child and Family Studies at Nipissing University), and June Ying Yee. "Anti-oppression in higher education: Implicating neo-liberalism." Canadian Social Work Review/Revue canadienne de service social (2011): 89-105.]

Although the effects of neoliberal thought are evident throughout the system, a concurrent focus on promoting principles of equity is also predominant within academia in the current socio-political context. These superficially contradictory ideologies may be understood as an attempt to shroud creeping neoliberalism within academia through promoting a visible commitment to social justice and equity issues. Although the original intent may have emanated from an interest in fostering change, these initiatives have largely become co-opted and their purpose weakened. As Ahmed (2007) argues, the plethora of initiatives and policies based on notions of "equity" and "diversity" have become a cornerstone of academic policy, promoted as a means of portraying a positive institutional image. However, these overused terms, she posits, are used primarily as a public relations tool rather than a vehicle for promoting social justice. The repetition of these words (albeit in ever-changing terminology) has contributed to "equity fatigue," as people within the sys- tem increasingly choose to ignore what they perceive to be unending rhetoric.Hallman (1998) has described such hollow expressions of commitment to equity principles as having a "magnanimous yet monotonous ring to [them as] ... words swirl about and descend softly like so much white liberal snow while ground disappears beneath our feet" (p. H2). In direct contrast to these realities, public promotions of equity on the part of institutions may be understood as tools used to conceal inequities, which do little to challenge the status quo of the institutional culture. Dissemination of the policy serves as a public display of the university's commitment to principles of equity, thereby becoming part of the "institutional performance" (Ahmed, 2007, p. 594) and presenting the image that the university has completed the job of addressing inequity. As Ahmed further explains, "the document becomes the fetish object . . . [and] its very existence is taken as evidence that the institutional world documented by the document (racism, inequality, injustice) has been overcome" (p. 597). Ironically, the policy becomes a substitute for any subsequent action and may in fact shut down any further consideration of the topic, rather than translating into a commitment to pursuing the issues. Hence, institutional actors are able to divest themselves of any further responsibility, satisfied that they have addressed equity concerns, while paradoxically remaining in a position of innocence, unimplicated in ongoing systems of oppression. As a result, those identified as members of traditionally marginalized groups are "invited in" and expected to adapt to the policies, practices, and culture as these exist. The need to introduce change, to foster meaningful inclusion, remains unacknowledged. Ultimately, as Ahmed (2007) forcefully argues, little actually changes, and systems of power and privilege within the organization continue unchallenged.

#### C] Censorship is never a viable political strategy: it is always rooted in an arbitrary system of state power that reproduces capitalism and shuts out reform.

Shaw 12 [Padmaja."Marx As Journalist: Revisiting The Free Speech Debate." N.p., 2010. Web. 7 Dec. 2016. http://www.triple-c.at/index.php/tripleC/article/view/389. graduated with a Masters degree in Journalism from Osmania University, India, and an MA (Telecommunications) from Michigan State University, USA. She completed a PhD in Development Studies and has been teaching at the Department of Communication and Journalism, Osmania University, India, since 1988. She has two tracks of interest: Broadcast production and political economy of communication. She contributes regularly to a media watch website, The Hoot, and writes a regular column in a local English language daily newspaper, The Hans India] \*ellipsis from original text

**Marx**’s opposition to censorship was not driven by any desire for an unregulated press. He **argued** for press laws that would be administered by independent judiciary: “… **censorship** … **makes arbitrariness into a law**. ... Just as a press law is different from a censorship law, so the judge's attitude to the press differs from the attitude of the censor. ... The independent judge belongs neither to me nor to the government. The dependent censor is himself a government organ ... The judge has a definite press offence put before him; confronting the censor is the spirit of the press. The judge judges my act according to a definite law; the censor not only punishes the crime, he makes it … The **censorship** does not accuse me of violating an existing law. It **condemns** my **opinion because it is not the opinion of the censor and his superiors.** My openly performed act, which is willing to submit itself to the world and its judgment, to the state and its law, has sentence passed on it by a hidden, purely negative power, which cannot give itself the form of law, which shuns the light of day, and which is not bound by any general principles”. “A censorship law is an impossibility because it seeks to punish not offences but opinions, because it cannot be anything but a formula for the censor, because no state has the courage to put in general legal terms what it can carry out in practice through the agency of the censor. For that reason, too, the operation of the censorship is entrusted not to the courts but to the police.” (Italics in original) (Marx 1842a) Describing true censorship as criticism that is the very essence of freedom of the press, Marx argued that censorship is criticism as government monopoly, **but** that **the government wants to apply it in secrecy and does not itself want to suffer any criticism** (Marx 1842b). Drawing a further distinction between press law and censorship he wrote: “In a press law, freedom punishes. In a censorship law, freedom is punished. The censorship law is a law of suspicion against freedom. The press law is a vote of confidence which the press gives itself. The press law punishes the misuse of freedom. The censorship law punishes freedom as misuse. ... Thus press law, far from being a repressive measure against freedom of the press, is merely a means to discourage repetition of violation through a penalty. … Laws are not repressive measures against freedom, any more than the law of gravity is a repressive measure against movement. ... Rather, laws are positive, clear, universal norms, in which freedom has won an impersonal, theoretical existence independent of the caprice of any individual. … Press law is the legal recognition of freedom”. (Marx 1842c) About freedom of the press, he wrote: “The free press is the ubiquitous vigilant eye of a people's soul, the embodiment of a people's faith in itself, the eloquent link that connects the individual with the state and the world, the embodied culture that transforms material struggles into intellectual struggles and idealises their crude material form. It is a people's frank confession to itself... It is the spiritual mirror in which a people can see itself, and self-examination is the first condition of wisdom”. (Marx 1842d). For Marx, the press is the “most general way for individuals to communicate their intellectual being. It knows no reputation of a person, but only the reputation of intelligence” (Marx, 1842e). Marx believed that **a revolutionary movement must participate in public life and educate the proletariat and that it is necessary to protect free speech**, as newspapers are the primary instruments of public communication (Hardt 2000)

#### D] Colorblindness is the root cause of many other forms of oppression.

Ferber 12, Abby (Prof. of Sociology, Univ. of Colorado, Colorado Springs) "The culture of privilege: Color‐blindness, postfeminism, and christonormativity." Journal of Social Issues 68.1 (2012): 63-77.

Color-blind racism assumes racial discrimination has ended, people are being treated in a color-blind fashion, and any differences we see in the success of racial groups is therefore due to inherent differences in the groups themselves. Colorblind ideology leads to the conclusion that we have done all we can. For many Whites, the election of Obama has been evoked to confirm their assumptions of a color-blind nation (Bonilla-Silva, 2010; Cunnigen & Bruce, 2010). Although many people naively embrace this view as non-racist, it reinforces and reproduces contemporary systemic racial inequality by denying its reality. These storylines “become part of the racial folklore and thus are shared, used, and believed by members of the dominant race. They are storylines because the words, phrases, and ideas used in these stories are very similar and seem scripted” (Bonilla-Silva, 2010, p. 70). These scripts are so ubiquitous that they are drawn upon to explain other forms of inequality as well. Color-blind racism needs to be examined from an intersectional perspective, making visible the ways it is connected and mutually constitutive of others ideologies of privilege. In the remainder of this article, I will examine discourses of oppression and privilege that rationalize male and Christian privilege, and argue that we must examine the ways in which these ideologies mirror color-blind racism, and reinforce one another. Postfeminism has emerged to justify and rationalize gender inequality, just as Christonormativity works to naturalize and protect Christian privilege. As Plaut argues, these cultural ideologies work together, therefore each one must be dismantled to advance the cause of social justice.

### Part 3: The Rally

#### Free speech provides a starting point on which to base the class struggle.

**Farber 17** [Samuel Farber (involved in left and socialist politics for well over fifty years) A Socialist Approach to Free Speech, Jacobin Online, 2/27/17]

Indeed, **breaking the ruling class control over socioeconomic power** and establishing collective ownership **depends on democracy**: “the first step in the revolution by the working class,” proclaimed The Communist Manifesto, “is to raise the proletariat to the position of ruling class, to win the battle of democracy.” For the most part, struggles for democratic rights — such as free speech, the abolition of slavery, universal suffrage, workers’, and women’s rights — came after the bourgeois revolution. They were democratic conquests won through popular struggle. **Free speech**, free association, and other democratic freedoms **allowed workers to fight for their interests.** Some proponents of socialism from above tend to defend democratic freedoms only for the working class, but this perspective has a narrow and parochial view of a class that should be, as Lenin argued, “the tribune of the people,” the representative of the interests of the great social majority, and runs contrary to the socialist tradition’s strong emphasis on demanding universal political rights such as suffrage. In a more cynical vein, **this political current has demanded free speech and other democratic rights only when they belong to the persecuted opposition.** In contrast to this view, as Hal Draper argued in his 1968 article “Free Speech and Political Struggle”: “There can be no contradiction, no gulf in principle between what is demanded of the existing state, and what we propose for the society we want to replace it, a free society.”Consistent with this approach, we must defend free speech on its own terms, not merely because it helps to organize and fight for a new society. In this, **free speech** does not differ from the economic advances the working class and its allies have won. They are **valuable both in their own right and because they strengthen the working class and its allies in their struggle for their emancipation.**

#### College campuses are a unique site for challenging neolib in the middle term.

**Tomlinson and Lipsitz 13** [Barbara Tomlinson & George Lipsitz (Professor of Black Studies, UC Santa Barbara) (2013) Insubordinate Spaces for Intemperate Times: Countering the Pedagogies of Neoliberalism, Review of Education, Pedagogy, and Cultural Studies]

Attending to this middle-range temporality compels us to think about spatiality as well. Neoliberalism has not only ‘‘taken place’’ in the sense that historians use the phrase to connote that events happen, but **neolib**eralism **has** also taken places**, transform**ing public social sites like **classrooms** and community cultural events **into spaces for commercial exchange**. Creative **collective action**, however, **can turn these sites into insubordinate spaces** capable of **serving as crucibles for building** democratic capacities and capabilities. People seeking **alternatives to** the disciplinary subordination of **neolib**eralism can use **[using] the middle-range temporality** of the next two decades **to develop** practices, processes, and **institutions promoting** popular **ability to participate in processes of** democratic deliberation, mutual recognition, and collective accountability. Teachers and students can counter the classroom and social pedagogies of neoliberalism by cultivating new ways of knowing and new ways of being. Insubordinate spaces in the classroom can be crucibles for **radically revising existing understandings of teaching and learning**, of reading and writing, and of citizenship **and** social membership. At the same time, insubordinate spaces in communities can **be sites for** developing **new** networks of instruction, apprenticeship, and **interaction.** **Thinking in terms of the middle run allows us to teach** ourselves and **others to exploit the** fissures and **fractures** available to us. Wallerstein reminds us that the outcome of the struggle has not been foreclosed, but there is still much to do: dehegemonizing is hard work too.

#### Students and universities protests oppose neoliberalism in higher education, establishing themselves as spaces of counter-hegemony

Delgado & Ross 16 [Sandra Delgado (doctoral student in curriculum studies at the University of British Columbia in Vancouver, Canada) and E. Wayne Ross (Professor in the Faculty of Education at the University of British Columbia in Vancouver, Canada), "Students in Revolt: The Pedagogical Potential of Student Collective Action in the Age of the Corporate University" 2016 (published on Academia.edu)]

As students’ collective actions keep gaining more political relevance, student and university movements also establish themselves as spaces of counter-hegemony (Sotiris, 2014). **Students are** constantly **opening new possibilities to** displace and **resist the commodification of education** offered by mainstream educational institutions. As Sotiris (2014) convincingly argues, movements within the university have not only the potential to subvert educational reforms, but in addition, **they have become “strategic nodes” for the transformation of** the processes and practices in **higher education, and** most importantly for the constant re-imagination and **the recreation of “new forms of subaltern counter-hegemony**” (p. 1). The strategic importance of university and college based moments lays precisely in the role that higher education plays in contemporary societies, namely their role in “the development of new technologies, new forms of production and for the articulation of discourses and theories on contemporary issues and their role in the reproduction of state and business personnel.” (p.8) Universities and colleges therefore, have a crucial contribution in “the development of class strategies (both dominant and subaltern), in the production of subjectivities, (and) in the transformation of collective practices” (p.8) The main objective of this paper is to examine how contemporary **student movements are disrupting**, opposing and displacing **entrenched oppressive** and dehumanizing **reforms,** practices and frames **in today’s corporate academia.** This work is divided in four sections. The first is an introduction to student movements and an overview of how student political action has been approached and researched. The second and third sections take a closer look at the repertoires of contention used by contemporary **student movements** and **propose a** framework based on **radical praxis** that allows us to better understand the pedagogical potential of student disruptive action. The last section contains a series of examples of students’ repertoires or tactics of contention that exemplifies the pedagogical potential of student social and political action. An Overview of Student Movements Generally speaking, **students are well positioned as political actors**. They have been actively involved in the politics of education since the beginnings of the university, but more broadly, students have played a significant role in defining social, cultural and political environments around the world (Altbach, 1966; Boren, 2001). The contributions and influences of students and student movements to revolutionary efforts and political movements beyond the university context are undeniable. One example is the role that students have played in the leadership and membership of the political left (e.g. students’ role in the Movimiento 26 de Julio - M-26-7 in Cuba during the 50’s and in the formation of The New Left in the United States, among others). Similarly, several political and social movements have either established alliances with student organizations or created their own chapters on campuses to recruit new members, mobilize their agendas in education and foster earlier student’s involvement in politics2 (Altbach, 1966; Lipset, 1969). **Students are** often considered to be **“catalysts” of political and social action** or “barometers” of the social unrest and political tension accumulated in society (Barker, 2008). Throughout history student movements have had a diverse and sometimes contradictory range of political commitments. Usually, student organizations and movements find grounding and inspiration in Anarchism and Marxism, however it is also common to see movements leaning towards liberal and conservative approaches. Hence, student political action has not always been aligned with social movements or organizations from the political left. In various moments in history students have joined or been linked to rightist movements, reactionary organizations and conservative parties (Altbach, 1966; Barker, 2008). Students, unlike workers, come from different social classes and seemly different cultural backgrounds. As a particularly diverse social group, students are distinguished for being heterogeneous and pluralists in their values, interests and commitments (Boren, 2001). Such diversity has been a constant challenge for maintaining unity, which has been particularly problematic in cases of national or transnational student organizations (Prusinowska, Kowzan, & Zielińska, 2012; Somma, 2012). To clarify, social classes are defined by the specific relationship that people have with the means of production. In the case of students, they are not a social class by themselves, but a social layer or social group that is identifiable by their common function in society (Stedman, 1969). The main or central aspect that unites student is the transitory social condition of being a student. In other words, students are a social group who have a common function, role in society or social objective, which is “to study” something (Lewis, 2013; Simons & Masschelein, 2009). Student movements can be understood as a form of social movement (LuesherMamashela, 2015). They have an internal organization that varies from traditionally hierarchical structures, organizational schemes based on representative democracy with charismatic leadership, to horizontal forms of decision-making (Altbach, 1966; Lipset, 1969). As many other movements, student movements have standing claims, organize different type of actions, tactics or repertoires of contention, 3 and they advocate for political, social or/and educational agendas, programs or pleas.

#### Academia and professorial freedom is key to activism

**Jakobsen 12** [Janet R. Jakobsen (Professor of Women’s, Gender and Sexuality Studies and director of the Center for Research on Women at Barnard College, Columbia University), Collaborations, American quarterly 64.4 (2012): 809-813.]

There are potential ways to navigate this dilemma. Here I propose an approach that can preserve and build on the power of critique valued in humanistic circles, even as activist-academic collaborations contribute to both knowledge and action. The Barnard Center for Research on Women (BCRW) has worked for the past several years on collaborative projects with community-based activist organizations in New York City. Some of the leaders of these projects had a chance to reflect on activist and academic work in a recent panel discussion at Barnard, including Ai-jen Poo of the National Domestic Workers’ Association; the activist dancer and choreographer Sydnie Mosley, who created the Harlem-based “Window Sex Project”; Amber Hollibaugh of Queers for Economic Justice; and Ana Oliveira of the New York Women’s Foundation, which provided grants to seventeen community-based organizations for a citywide project on reproductive justice. As Sydnie says in the discussion, **academic** research and **resources** can **provide helpful supports to developing activist** and artistic **work**, providing materials necessary to “create the new” as Ana puts it. The resultant projects avoid certain dangers (while doubtless encountering others) by moving across various boundaries:intermixing advocacy and critique, **the empirical and the humanistic, as well as academic and activist knowledge production—sometimes “**using” academic knowledge in activist pursuits **and sometimes synthesizing knowledge produced in activist settings.** For example, Amber spoke of the “Desiring Change” project, which started with a problem in organizing: why does desire keep dropping out of organizing projects, even projects that explicitly intend to connect desire to multiple issues? Amber’s point here is not about LGBTIQ people per se but about desire, including both erotic desire(s) and desire for another, more just, world. “How,” Amber asks, “do you build a movement that expresses hope for a different world, if you don’t claim one of the possibilities for where that hope might reside?” (Embed Amber 44:46–49:15) She is particularly concerned about how clear articulations of desire—along with joy, pleasure, and erotics—can incite people to join movements and build possibilities. Yet if desire [End Page 828] repeatedly drops off the horizon as organizing progresses, could a problem lie within the model of organizing itself? The “Desiring Change” project brought together people from across organizations to ask these questions and produce new knowledge together. In other words, critique, including Amber’s critique of the state of contemporary organizing, opened new possibilities for both knowledge and action. The “Desiring Change” project was developed, in part, by activists who wanted to step back from the intensities of organizing and focus on the intellectual aspects of their projects. **The academy can provide** space and time for such reflection (albeit with increasing limitations); it can also provide **support for** the **intellectual work required to develop** organizing **projects**. In 2008 BCRW hosted the first national congress of domestic workers’ organizations, sponsored by the **National Domestic Workers’ Alliance** (NDWA), along with a follow-up northeast regional Congress in 2009. These groups **worked with** BCRW **[Barnard Center for Research on Women] to develop** a report, “Valuing Domestic Work,” that outlines the framework for their organizing along with a video highlighting their efforts. This organizing has been incredibly successful, culminating in 2010 with the **New York State Domestic Workers’ Bill of Rights, the first legislation passed in the United States to offer basic workplace protections to domestic workers.** The bill’s passage was based on NDWA’s and DWU’s analysis of domestic workers’ status as part of a group of workers excluded from the category of labor. Through histories that deny the personhood of some workers, in the United States workers in fields like domestic work, farmwork, and various forms of piece work that are associated with slavery or immigration have also been excluded from basic labor protections, including the right to time off and basic compensation for severance of employment. In addressing this problem, the bill of rights was a major victory for domestic workers, as well as a shift in labor law in the United States. Because of its argument for legislative expansion of the category “protected workers,” at one level this organizing is basic liberal humanist advocacy. At another level, however, this organizing includes a critique of precisely the autonomous individual who is the subject of modern freedom and wage labor. First, of course, the movement shows that the effects of chattel slavery are not over when labor associated with slavery is not as “free” as other forms of work. Nor is **the free market** actually free. It **does not allow for the free movement of individuals** to sell their labor **but** uses national boundaries to devalue and **coerce the labor of immigrants**. Even more profoundly, however, the work undertaken by domestic workers challenges the liberal humanist concept of [End Page 829] the autonomous individual at its core.

#### Realization of the university as a hegemonic apparatus is the only way to understand the militant class struggle.

**Sotiris 14** [Panagiotis Sotiris, Department of Sociology, University of the Aegean, “University movements as laboratories of counter-hegemony.” Aug 6, 2014.]

**The realization of a hegemonic apparatus is** also always **linked to a** transformation not just of the ideological balance of forces, but a more general **transformation of** forms of **knowledge**, consciousness **and collective practice**. ‘The realization of a hegemonic apparatus, in so far as it creates an new ideological terrain determines a reform of knowledge and of methods of knowledge: it is a fact of knowledge, a philosophical fact’ (Gramsci 1971, p. 365-366; Gramsci 1977, p. 1250 (Q10II, §12)). I think that this conception offers us a way to think both the importance of the university as a hegemonic apparatus (or to be more precise as part of the hegemonic apparatus of the bourgeoisie), **the ways the current neoliberal entrepreneurial restructuring of the university has to be related to changes to actual hegemonic strategies**, but also the political and (counter)hegemonic potential of movements within universities. This Gramscian approach can also help us understand the non-teleological historicity of the University, how it became part of the bourgeois hegemonic apparatus **as the result of** whole **history of struggles** and strategies, **at all levels.**

#### Neolib obscures the importance of identity, creates colorblindness.

**Wagner 11** [Wagner, Anne (is assistant professor in Sociology and Child and Family Studies at Nipissing University), and June Ying Yee. "Anti-oppression in higher education: Implicating neo-liberalism." Canadian Social Work Review/Revue canadienne de service social (2011): 89-105.]

Interestingly, **neoliberalism appears to be taking hold at a time when demands from** traditionally **marginalized groups are gaining momentum.** **As** barriers begin to be deconstructed and **racism begins to be debated openly** in various academic and community forums, **the response** of academia has been to **emphasize** issues of "excellence" and "meritocracy" and **the need to compete financially** for limited resources. As Smith (2010) notes, although **neolib**eralism acknowledges issues of gender equity, it **continues** to uphold the **liberal** myth of **colour blindness** (p. 48), thereby **negating** the salience of race and other **sources of systemic inequities. The focus on** purportedly neutral, standardized, individualized, and measurable **performance indicators** and measures **supports** an emphasis on **"merit," which** has historically **shroud**ed systemic forms of **discrimination** (Smith, 2010). In this way, **neolib**eralism **acts** as a tool **to retrench race-evasive discourses** of neutrality that posit "Whiteness" as a referential norm, **diverting attention from** the way in which such supposedly neutral standards and mechanisms fortify **existing systems of domination** (Dei, 2008, 2009; Razack, 2002)

### Part 4: Speech Codes

#### **Bans on things like hate speech are hopelessly short sighted—it just treats the symptom of the problem in exchange for feel-good politics.**

Fisher 17 (associate editor at Reason.com, where his beats include criminal justice, civil liberties, free speech, and foreign affairs. He is also a sports and culture columnist at The Week.). “The free speech problem on campus is real. It will ultimately hurt dissidents”. Vox, Jan 2, 2017. http://www.vox.com/the-big-idea/2016/12/13/13931524/free-speech-pen-america-campus-censorship RC

The discussion of "safe spaces" has become one of the most divisive subsections of the debate over free speech on campus. PEN America’s partial endorsement of that concept may come as a surprise: The group describes the creation of "small, self-selected groups united by shared views," which could be anything from a group of five Iranian-born students kicking around stories from back home in a dormitory common room to a chapter of the Hillel club, which on some campuses consist of hundreds of Jewish students as members. But the report opposes making entire campuses "safe spaces" from discomfort. The authors argue against such a "hermetically sealed intellectual environment where inhabitants could traffic only in pre-approved ideas." This is key. **Students of all political and identity stripes should be permitted to form their own independent groups for any reason, whether it’s just to feel "at home" or express sentiments that wouldn't be as popular in the broader campus community.** But these **students should not expect their safe space to extend to every** minute of their day or every **inch of the school.** Unfortunately, some students have demanded campus-wide safe spaces, leading to such self-spiting actions as closing the campus from deliberately provocative speakers such as Milo Yiannopoulos, the Breitbart technology editor/notorious internet troll. **Rather than allowing Yiannapoulos's noxious grandstanding to serve as its own indictment, several campuses have preferred to keep their students “safe” from his outlandish views. But pretending "problematic" thought doesn’t exist won't make it so; such perspectives should be engaged, defeated, in the public arena of ideas.** In perhaps the most cogent line of the entire report, the authors write: **“Overreaction to problematic speech may impoverish the environment for speech for all.”** In the name of social justice, some students are demanding administrators become the arbiters of what speech is legitimate and what isn’t. These students don’t seem to grasp that **by granting authority figures the power to adjudicate which speakers have the right to be heard, they will inevitably find their own speech silenced when opponents claim offense, fear, or discomfort.**

#### In fact, free speech is key to students learning to REJECT oppressive views.

LeonardLeonard, James. [Professor of Law, Ohio Northern University] “Killing with Kindness: Speech Codes in the American University.” *Ohio Northern University Law Review*.Volume 19, 1993.

Perhaps the archetypal example of offensive speech was the theories of the late **Professor William Shockley** of Stanford University. Shockley was a brilliant physicist who was awarded a Nobel prize for his work in transistorization in 1956. Later in his career, however, he tired of electrical engineering and began to focus on the link between genetics and cognitive ability. 7 **His theory, in essence, was that intelligence is hereditary, that blacks were less intelligent than whites** and that heredity, therefore, made futile any attempt to correct such differences.5 8 It was not Shockley's theories alone which caused him to be vilified. Shockley was poised for action: he proposed that potential parents with IQ's under a certain threshold be paid, on a voluntary basis, not to reproduce. Many took this as **a** **lace curtain plan for genocide given that blacks tended to score lower on IQ tests than whites5.** Shockley was often invited to speak or engage in debates on university campuses; and, he was often kept from doing so by disruptive audiences or hostile university administrations. On one occasion, organized disruption prevented his participation in a scheduled debate at the Yale Political Union even though the debate had been organized at the suggestion of Roy Innis, the chairman of the Congress of Racial Equality. 60 Innis apparently felt that a nationally televised clash of views would be beneficial. 61 The invitation to Shockley was eventually rescinded after pressure and threats by several student organizations. **In contrast, Professor Stephen Carter has recounted his experience as a black Stanford undergraduate of watching a debate between Shockley and two others that he described as a "a rabble rousing psychologist who happened to be black and a world-renowned geneticist who happened to be white.**' 6a Carter explained that he approached the debate with much trepidation, and must have felt more as he watched Shockley make "mincemeat"' ' of the psychologist. **However, Carter then watched-the geneticist make Shockley look like an amateur.** Carter concluded: [I] began to wonder what all the talk of dangerousness was about .... It was then that I began to perceive the possibility that justice, **even in the sense of winning the battle against racism, would come only from confronting the truth .... The point [was] not that Shockley's arguments were correct-they were nonsense – but rather that the decision to dismiss them, . . . should have been made on the ground of scientific error, not on the ground of racist effect.** Put otherwise, the mere fact that his theories were unattractive should have had no bearing on whether they were accepted as true. **We cannot know how many students at Yale and other universities were deprived of a similar opportunity to see the clash of controversial ideas and walk away with a better understanding of their beliefs. John Stuart Mill, the 19th century philosopher, wrote in On Liberty that even wrong ideas have the beneficial effect of forcing us to re- examine and better understand our challenged beliefs."** Mill's argument, it appears, has aged well.

#### Empirics flow aff- speech codes on college campuses were policy failures.

Friedersdorf 15, 12-10-2015, "The Lessons of Bygone Free-Speech Fights," Atlantic, http://www.theatlantic.com/politics/archive/2015/12/what-student-activists-can-learn-from-bygone-free-speech-fights/419178/

He was writing after the University of Michigan, the University of Wisconsin, and Stanford implemented **speech codes** targeted at racist and sexist speech. These were efforts to respond to increasing diversity on campuses, where a number of students spewed racist and sexist speech that most everyone in this room would condemn. But those speech codes **were** policy **failures. There is no evidence that** hate speech or **bigotry decreased** on any campus that adopted them. **At Michigan**, the speech code was analyzed by Marcia Pally, a professor of multicultural studies, who found that “**black students were accused of racist speech in almost 20 cases. Students were punished** only twice under the code’s anti-racist provisions**, both times for speech** by or **on behalf of blacks**.”

### Underview

omitted

# Underview

### Underview (Substance)

#### 1. The idea that the authority figures become the arbiter of acceptable speech causes a crackdown on dissent and kills minority views from even being heard in the first place.

Fisher 17 (Anthony L. Fisher, associate editor at Reason.com, where his beats include criminal justice, civil liberties, free speech, and foreign affairs. He is also a sports and culture columnist at The Week.). “The free speech problem on campus is real. It will ultimately hurt dissidents”. Vox, Jan 2, 2017. http://www.vox.com/the-big-idea/2016/12/13/13931524/free-speech-pen-america-campus-censorship

It’s already happening. Just ask **the Palestinian activists** whose **boycott** campaigns **against Israel have [has] been deemed hate speech by a number of public universities**, and whose future political activities could be endangered by an act of Congress. Just this month, the Senate unanimously passed the "Anti-Semitism Awareness Act,” which directs the Department of Education to use the bill's contents as a guideline when adjudicating complaints of anti-Semitism on campus. Among the speech-chilling components of the bill, **the political** (and subjective) **act of judging Israel by an "unfair double standard" could be considered hate speech.** To cite other examples of unintended consequences of the crackdown on “offensive” speech, **a black student at** the **U**niversity of **Michigan was punished for calling another student “white trash,” and conservative law students at Georgetown claimed they were “traumatized” when an email critical of deceased Supreme Court Justice Antonin Scalia landed in their inboxes.** The PEN America report also notes the Foundation for Individual Rights’ analysis of hundreds of campuses with “severely restrictive” speech codes. While a number of these campuses don't aggressively enforce their speech codes, the rules remain on the books; more than a dozen such codes have been overturned in the courts. **What’s even more concerning is the increasingly popular notion that some ideas, such as opposition to abortion, should simply be “non-platformed" — that is, deemed unworthy of even being heard on campus.** Although the trend of denying contentious speakers such as former Secretary of State Condoleezza Rice or refugee turned Dutch politician and critic of Islam Ayaan Hirsi Ali public platforms by "disinviting" them from campus is disconcerting, it is not censorship. However, **a pro-choice group physically blocking the display of a pro-life group on the campus of the University of Georgia is a form of censorship.** As is the case of University of California Santa Barbara professor Mireille Miller-Young, who assaulted a young woman holding a pro-life placard including graphic imagery in a "free speech" zone on campus and stole her sign. When the young woman objected to the theft of her property, Miller-Young replied, "I may be a thief, but you're a terrorist." **Like it or not, almost half of all Americans consider themselves pro-life. Banning their perspective from campus won't win over converts, and it’s** both immoral and **counterproductive to declare completely legitimate political perspectives beyond the pale.** **Think of antiwar protests or demonstrations in support of integration when both causes were broadly unpopular, and then try to consider a majority on campus declaring their school a "safe space" from such "offensive" expressions of free speech.**

### Underview 2 (K)

#### 1. The res is negative state action, which means the aff limits state power and doesn’t link to critiques of the state.

Dempsey 9 Michelle, Professor of Law, Villanova University School of Law, <http://www.academia.edu/352923/Sex_Trafficking_and_Criminalization_In_Defense_of_Feminist_Abolitionism>

42 The unintended consequences of criminalizing the purchase of sex include the harms that may be suffered disproportionately by men who are already socially disem-powered. Given the negative uses of criminal law throughout history and still today, such as racist law-enforcement policies, there is reason to resist using the criminal law as a tool for positive social change. See generally M ICHAEL T ONRY , M ALIGN N EGLECT —R ACE , C RIME , AND P UNISHMENT IN A MERICA (1995) (discussing the disparate impact crime-control policies can have on disadvantaged communities); Angela J. Davis, Be- nign Neglect of Racism in the Criminal Justice System , 94 M ICH . L. R EV . 1660, 1663 (1996)(reviewing T ONRY , supra ) (discussing racial discrimination within the criminal justice system). Since racism is fundamentally inconsistent with feminist commitments to ab-olish all wrongful structural inequalities, feminists should resist any reforms that will tend to exacerbate racism. See D EMPSEY , supra note 9, at 129-35. This risk of unin-tended consequences poses a serious objection to feminist abolitionism. Yet, it is important to bear in mind that feminist-abolitionist reforms like the Swedish model, if adopted in the United States, would not expand the criminal law’s power; it would re-duce it. At present, in most jurisdictions throughout the United States, both sellers and buyers are criminalized. Feminist abolitionist reforms would therefore restrict the power of the criminal law by decriminalizing people who sell sex. Thus, to the extent that current criminal laws are being used in racist and other problematic ways (e.g., by targeting disempowered women of color who sell sex, while allowing relatively power-ful middle-class white men to go free), the proposed reforms would improve the criminal justice system by limiting its scope.

#### 2. Making demands on the state and questioning current methods works outside of the political order and *questions its legitimacy*.

Newman 10 (Saul, Reader in Political Theory at Goldsmiths, U of London, Theory & Event Volume 13, Issue 2)

There are two aspects that I would like to address here. Firstly, the notion of demand: making certain demands on the state – say for higher wages, equal rights for excluded groups, to not go to war, or an end to draconian policing – is one of the basic strategies of social movements and radical groups. Making such demands does not necessarily mean working within the state or reaffirming its legitimacy. On the contrary, demands are made from a position outside the political order, an**d** they often exceed the question of the implementation of this or that specific measure. They implicitly call into question the legitimacy and even the sovereignty of the state by highlighting fundamental inconsistencies between, for instance, a formal constitutional order which guarantees certain rights and equalities, and state practices which in reality violate and deny them.

# Framing

### Top Level Framing

#### Top level framing issue of the aff is that neolib right now is prevalent under the Trump presidency. Our forms of knowledge productions are being coopted by censorship – the only form of solvency is through a middle-term solution. Our strategies must be based on the world-systemic context so methods of challenging cap within 25 years since cap is vulnerable now. This is try-or-die framing – this is not a debate about the philosophy of cap as much as it is about the current conditions of cap. It is already at a crisis point so it’s going to be replaced regardless and the aff is about developing a better alternative rather than allowing something worse to take its place.

### 2nd Level Framing

#### You massively misunderstand the thesis of the aff framing. The aff does not prescribe a certain mode of resistance or protest, but it allows the space to create whatever forms of resistance people want. It functions as an incubator of methods to challenge neolib.

### 1AR Solvency Framing [:35]

#### The solvency of the aff is threefold.

#### 1] First is professorial free speech which is key to activism.

#### Extend Jakobsen 12 – Academia provides support and information in order to create concrete changes. Academics came together to give National Domestic Workers Alliance the materials and framework needed for organizing and they were able to pass legislation into the New York State Domestic Workers’ Bill of Rights which guarantees basic workplace protections.

#### 2] Second is the production of ideas – the classroom is a unique space for learning about the problems of the system and thinking of solutions to combat it.

#### Extend Farber and Sotiris – the academic space is key to establishing class struggles and learning how to challenge dominant ideologies within our realms of knowledge.

#### 3] Third is a site of activism – college campuses uniquely grant an atmosphere that allows for demands within the system.

#### Extend Delgado and Tomlinson – students are able to create spaces of counter-hegemony through protests against corporate academia that’s coopting our classrooms into sites of commercial exchange.

### University Bad [Group Turns]

#### 1. All of your reasons to why the university harms minorities or resistance flows aff. This is a damning issue – these are reasons to why we shouldn’t give them the authority to create and regulate speech codes. The aff recognizes those limitations and takes away the ability for them to punish people for speech and presents a way of improving the university.

#### 2. Allowing the university to dictate speech codes places trust within the system and makes us compliant with their rulings – reverses the turn for aff offense.

### Protests Bad [Group Turns]

#### The aff is perfectly consistent with you saying why we shouldn’t protest. People should develop any strategies they want in the world of the aff. The main implication is that regardless of the strategy, free speech is necessarily key.

### Protests Good

#### 1. The protests framing issue is really clear. In order for you to win protests bad, you need to prove they aren’t 100% effective. That’s not the aff burden. I just need to show that some protests work and that’s enough aff solvency. All of your evidence is that in specific instances, protests fail. That’s perfectly fine, we can always reform how we approach protests.

#### 2. In a world without the aff, protests would become illegal – the conclusion of these arguments do not follow from the premise that protests have some problems so they shouldn’t happen. It could potentially mitigate the effects, but that doesn’t justify bans on protests. Having problems with protests is not a reason to negate.

#### 3. Student activism has been productive and effective.

**Lee 17** [Lee, Philip (Associate Professor of Law, David A. Clarke School of Law). "Student Protests and Academic Freedom in an Age of# Blacklivesmatter." Ohio State Law Journal, Vol. 78, 2017 (2017).]

**Student activism for racial equity**, in addition to the general social unrest **of** the late 19**60s** and 1970s, **had a significant role in changing university admissions policies**.55 This student-led **pressure for inclusion also created curricular changes.** As minority enrollments increased and students continued to push for inclusion, **colleges** and universities **began instituting** ethnic studies **programs to institutionalize the study of minority** communities and **perspectives**.56 This was a turbulent process. Cornel West observes, “The **inclusion of** African Americans, Latino/a Americans, Asian Americans, Native Americans and American women into the culture of **critical discourse yielded** intense intellectual polemics and inescapable **ideological polarization that focused** principally **on the** exclusions, silences and **blindness**es **of male,** WASP cultural homogeneity.”57 Therefore, **students’ push for racial inclusion** and equity **transformed** from being only about physical inclusion **to campus spaces to increasing** agitation for **crossracial respect** and understanding. And it is in this historical context that students today are continuing the fight today. A recent example of student activism for racial justice that sparked a wave of related protests across the country occurred at the University of Missouri, which took inspiration in the #BlackLivesMatter protests in Ferguson.58 In the 2014-2015 academic year, a series of **student protests at** the **U**niversity of **Missouri resulted in the resignations** of the president of the University of Missouri System and the chancellor of the University of Missouri Columbia campus.59 The protests were primarily led by a student group named Concerned Student 1950.60 Concerned Student 1950 is a reference to the first year that the University of Missouri admitted African American students.

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### Ruse of Solvency [Perm]

#### The aff recognizes that free speech needs to be combined with other strategies and that it alone is not the way to solve the problems. Your criticisms are merely defense to individual resistance strategies, not the aff as a whole.

### Uniqueness Framing

#### Protests are happening right now and creating resistance against universities.

**Morales 4-28** [Morales, Ed “Students Are Now Leading the Resistance to Austerity in Puerto Rico” April 28, 2017, https://www.thenation.com/article/students-are-now-leading-the-resistance-to-austerity-in-puerto-rico/]

Aurora Muriente Pastrana, who is both a law-school student and adjunct professor in the humanities department at the University of Puerto Rico (UPR), had come to the steps of Puerto Rico’s capitol building on April 18 with a group of **university students, professors**, workers, **and activists** to **raise their voices against** the passage of **a bill that would eliminate the government-funded Debt Audit Commission**, which was **created** in 2015 **to audit** the island territory’s $**70**-plus **billion in debt**. In solidarity with a group called the Citizen Front for Auditing the Debt, the growing crowd began to stir when representatives of the Citizen Front were not allowed access to the building to observe the bill’s hearings, as is their constitutional right. Muriente, who is part of a movement that has shut down university operations since March, said the crowd was chanting “We’re Citizens, Not Criminals!” with some urging the police to join them, since their pensions were also threatened by austerity measures. But then, in a poignant echo of the violence that occurred on these same steps in 2010, the demonstrators were, without warning, beset by nightstick-wielding riot police, who fired a barrage of pepper spray at them. “I was recording what was happening, and the spray reached my hands and arms and I breathed in a lot of it. I had to receive medical assistance,” Muriente said. “Other students and professors were sprayed in the face and hit with billy clubs indiscriminately.” The return of violence to the capitol steps was a reminder that the US Department of Justice had investigated the Puerto Rico Police Department in 2011 for use of excessive force, which led to a consent decree that placed the department under DOJ supervision. According to Puerto Rico ACLU president William Ramírez, the use of the spray was in violation of the DOJ-enforced agreement with the PRPD. It’s not clear whether the police were emboldened by the recent statement by Attorney General Jeff Sessions that such federal investigations of police abuses would be re-evaluated. At any rate, **tensions are rising again in Puerto Rico**, now that the **Fiscal Control Board**—which was **created** by the US Congress’s PROMESA bill **to supervise** all government **expenditures**, and which took power in January—has **begun to push for austerity measures, such as a $512 million cut in university funding by the year 2025**. Bernat Tort, who teaches in the philosophy and women’s and gender studies departments at UPR, was hit in the face with pepper spray when he resisted the riot squad’s attempts to push demonstrators away from the building. “We were prepared for the possibility that they might use [pepper spray], but no one was prepared for the stinging pain, all over the body,” said Tort. “I lost my sight for 40 minutes.” Tort, who belongs to a group called Self-Convened Professors in Resistance and Solidarity, feels strongly about supporting an audit of the debt. “**The audit would reveal** 1) **how much of the debt is illegal**, 2) who is responsible for putting together the **illegal bonds that were sold**, and 3) who was involved in the underwriting,” he said.

# Frontlines

## AT Generic Ks

### Overview

#### There is a massive disjunct between the link and the alternative. None of your link cards support the conclusion that free speech is uniquely bad or why protests are bad and should be restricted. These are not reasons why we don’t do the aff – they are offensive aff reasons to coopt the aff movement with other strategies.

## AT PICs

#### 1. Main framing issue on the PICs debate is that your strategy is not the same as the aff. Your approach to resisting cap is a method that the aff criticizes.

#### 2. The PIC will always fail insofar as the university is not challenged in the way that the aff approaches the issue. Censorship is guaranteed failure as long as the university itself stays as a neoliberal institution.

#### 3. Any miniscule censorship will spillover to other forms of restriction. Our conceptions of problematic speech are subjective so the aff’s approach is a necessary starting point.

#### 4. Perm: Do the aff now and the PIC in 20 years. The Wallerstein evidence contextualizes why middle term approaches are necessarily true and it solves 100% of the offense. Once we rid of neoliberal institutions, we can enforce speech codes.

## AT Cap Inevitable

omitted

## AT Particularism

### Overview

omitted

### Rule-Following Paradox

omitted

## AT Util NC / Cap Good

omitted

### Long Framework Specific [Impact Turns]

omitted

### ROB Framework Specific

omitted

## AT Merit [Title IX]

#### 1. The AC is an impact turn to your DA. The foundation of neolib is that if you work hard enough you will be able to succeed. Neolib prevents individuals from getting jobs and accesses to resources unless they get advanced degrees. This is the premise that the entirety of the 1AC premises. Neolib specifically on college campuses creates these harming ideologies.

#### 2. Extend Wagner 11 – focusing on intersections of identity is key to resistance. Your focus on meritocracy leads to more colorblindness which uniquely creates more forms of systemic inequality by assuming discrimination has ended.

## AT Hate Speech

#### Hate speech that’s targeted at a specific person is not conpro.

Heinze 06, Eric ("Reader in Law, Queen Mary, University of London).”Viewpoint absolutism and hate speech." The Modern Law Review 69.4 (2006): 543-582.

In order to approach such problems, we must consider a second distinction, viz, between general and 'targeted' speech. A common and straightforward instance of 'targeted', face-to-face speech could arise, for example, in an employment context, where an employer individually harasses one or more specific, identifiable employees. In such a context, as with solicitation, conspiracy and other distinctly unlawful acts, words are used as only part of a fuller pattern of unlawful conduct (eg, harassment), and hate speech may indeed provide positive evidence of harassment. In Chaplinsky v New Hampshire, the US Supreme Court famously noted: [The] English language has a number of words and expressions which by general consent are 'fighting words' when said without a disarming smile. [Such] words, as ordinary men know, are likely to cause a fight. So are threatening, profane or obscene revilings. Derisive and annoying words can be taken as [those that] have this characteristic of plainly tending to excite the addressee to a breach of the peace [such as] face-to-face words plainly likely to cause a breach of the peace by the addressee, words whose speaking constitute a breach of the peace by the speaker.147 The Court focuses on offensive words specifically 'directed to the person of the hearer',148 which, moreover, are not limited to the discretely recognized categories that are ordinarily required for hate speech bans, such as race, sex or religion—and which, therefore, do not suffer the hypocrisies of hate speech bans. Under existing law, a jury could certainly be instructed to take account of the impact of invective like 'stupid slob' directed against someone who is mentally handicapped Individual acts of aggression or harassment have long been recognized as legally actionable, regardless of their motivation, ie, intolerance or some other ground. Where there is psychological damage, perhaps requiring treatment, actions such as a tort of intentional infliction of emotional injury have long been available, again, regardless of the motive for the act149 Unlike Western European approaches, however, Chaplinsky does not license government to silence anyone whose words might cause offence to individual listeners, if those individuals are not personally targeted.

## AT Cap Race K

### Overview

#### 1. The framing issue of the aff is that the current neolib system is designed to create control within our modes of production which mean our strategies are always going to be coopted.

#### 2. Not relevant to the aff – we don’t say that racism does not exist in the world of cap. We acknowledge that cap exacerbates those problems so the aff solvency is uniquely key.

#### 3. No link – the aff never says individual experiences aren’t relevant. It’s a question of priority – that’s the framing at the top of the aff.

#### 4. Link turn – Neolib uniquely affects black people. Extend Ferber and Wagner – colorblindness is the root cause of race issues in the world of the K. It makes us ignorant of race conflicts.

#### 5. The aff is a link turn – speech codes are instances of oppression that predominantly hurt minorities. This proves why the aff is uniquely key to resolve these issues.

#### 6. Student activism has been productive and effective.

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## AT Black Nihilism

### Overview

omitted

### Link Stuff

omitted

### Alt

omitted

## AT Wilderson K

### Overview

omitted

### Link

#### Universities are not the state especially in the context of speech restrictions.

Bryne 90 [(Byrne, J. Peter (Professor, Georgetown Law). "Racial Insults and Free Speech Within the University." Geo. LJ 79 (1990): 399.]

I believe that there are two strong legal bases for such restrictions by the university. First, **the university is not the state. Constitutional limitations apply only to the state** and its instrumentalities and surrogates. **Inquiries concerning which instrumentalities** and surrogates **will be subject to constitutional limitation is the domain of the state** action doctrine. Elsewhere I have lamented the senseless rigidity and overbreadth of the state action doctrine as applied to state universities. As to universities, a flat rule has developed: state universities are state actors, private universities are not. Although virtually all universities have some fiscal involvement with the state, the degree of involvement varies greatly. Nonetheless, similarities among universities are more significant than their differences; many private universities receive massive amounts of public money and carry out numerous governmental educational and research projects; most **state universities exercise substantial practical** autonomy (**and** some enjoy significant **legal autonomy) from their states.** Although private universities are under no compulsion to follow first amendment free speech principles, many do so voluntarily in situations in which there is no conflict with educational needs. Despite the rigidities of current doctrine, **a state university ought not be considered a state actor when it enacts restrictions on speech necessary to its educational purpose** and its commitments to truth and humanism. For example, a university can dismiss an untenured professor because it believes his manner of speaking to be confused or banal, an authority denied the state itself.114 If one accepts that a university can ban racial insults because they hamper the search for truth or the development of students, the same ends for which untenured professors are sacked, then one should agree that the university should not be treated as a state actor when it adopts such restrictions.

### Alt

omitted

### AT White People

omitted

## AT HWL New Plans

omitted

# Alternative Stuff

### Short Framework [:35]

#### The role of the ballot and judge is to reject capitalism and reclaim higher education.

#### Our greatest ethical obligation is to resist capitalism – it’s relevant under any moral theory.

**Morgaridge 98**, Clayton, Prof of Philosophy at Lewis & Clark College, 1998, Why Capitalism is Evil 08/22 http://www.lclark.edu/~clayton/commentaries/evil.html

Now none of these philosophers are naive: none of them thinks that sympathy, love, or caring determines all, or even most, human behavior. The 20th century proves otherwise. What they do offer, though, is the hope that human beings have the capacity to want the best for each other. So now we must ask, What forces are at work in our world to block or cripple the ethical response? This question, of course, brings me back to capitalism. But before I go there, I want to acknowledge that capitalism is not the only thing that blocks our ability to care. Exploitation and cruelty were around long before the economic system of capitalism came to be, and the temptation to use and abuse others will probably survive in any future society that might supersede capitalism. Nevertheless, I want to claim, the **putting the world at the disposal of** those with **capital has done more damage to** the **ethical life than anything else**. To put it in religious terms, capital is the devil. To show why this is the case, let me turn to capital's greatest critic, Karl Marx. **Under capitalism**, Marx writes, **everything** in nature and everything that human beings are and can do **becomes an object: a resource for, or** an **obstacle, to** the expansion of production, the development of technology, the growth of **markets**, **and** the circulation of **money**. For those who manage and live from capital, nothing has value of its own. Mountain streams, clean air, human lives -- all mean nothing in themselves, but are valuable only if they can be used to turn a profit.[1] If capital looks at (not into) the human face, it sees there only eyes through which brand names and advertising can enter and mouths that can demand and consume food, drink, and tobacco products. If human faces express needs, then either products can be manufactured to meet, or seem to meet, those needs, or else, if the needs are incompatible with the growth of capital, then the faces expressing them must be unrepresented or silenced. Obviously what capitalist enterprises do have consequences for the well being of human beings and the planet we live on. **Capital profits from** the **production of** food, shelter, and all the **necessities** of life. The production of all these things uses human lives in the shape of labor, as well as the resources of the earth. If we care about life, if we see our obligations in each others faces, then we have to want all the things capital does to be governed by that care, to be directed by the ethical concern for life. But feeding people is not the aim of the food industry, or shelter the purpose of the housing industry. In medicine, making profits is becoming a more important goal than caring for sick people. As capitalist enterprises these activities aim single-mindedly at the accumulation of capital, and such purposes as caring for the sick or feeding the hungry becomes a mere means to an end, an instrument of corporate growth. Therefore **ethics**, the overriding commitment to meeting human need, **is left out of deliberations about what** the heavyweight **institutions of** our **society are going to do**. Moral convictions are expressed in churches, in living rooms, in letters to the editor, sometimes even by politicians and widely read commentators, but almost always with an attitude of resignation to the inevitable. People no longer say, "You can't stop progress," but only because they have learned not to call economic growth progress. They still think they can't stop it. And they are right -- as long as the production of all our needs and the organization of our labor is carried out under private ownership. Only a minority ("idealists") can take seriously a way of thinking that counts for nothing in real world decision making. **Only when the end of capitalism is on the table will ethics have a seat at the table.**

#### That’s key to the role of the judge as an educator because status quo schools turn students to mindless consumers.

**McLaren 08** Peter,Critical Pedagogy Against Capitalist Schooling: Towards a Socialist Alternative. An Interview with Peter McLaren http://www.globaleducationmagazine.com/critical-pedagogy-againstcapitalist-schooling-socialist-alternative-interview-peter-mclaren/-

The **epistemological presuppositions** that **undergird** neoliberal **capitalism** can be unraveled like an unspooled film; each application of neoliberal prescriptions to knowledge formation can be scrutinized in the context of the larger mise-en-scène. Cultural **theorists** have done an excellent job of **understand**ing the **impact of neolib**eral **ideology on** the production of space, place, scale, historical time, and race, gender and class identity and human agency. I agree that this is important work and we need to look at such production in relation to the commodification of everyday life. Among other things, **neolib**eral **logic is** a **logic o**f the lowest common denominator, a technocratic rationality in which value is accorded to **how much** surplus **value can be extracted** and accumulated..¶ While well-meaning progressive **educators** might be willing to criticize the manner in which humans are turned into dead objects that Marxists refer to as fetishized commodities, they **are often loathe to consider** the fact **that within capitalist society**, all **value originates in** the sphere of **production and** that one of **the** primary **roles of schools is to serve as agents** or functionaries **of capital**. Furthermore, they fail to understand that **education** is [**can be**] more **reproductive** of an exploitative social order than a constitutive challenge to it precisely **because it rests on** the foundations of **capitalist exchange value**. Reading Marx and Freire may not alchemize us into revolutionaries capable of transcending capitalism but ignoring what they had to say about transforming education in the context of class struggle would be a huge loss to our efforts.

### Race Offense

#### Neolib obscures the importance of identity, creates colorblindness.

**Wagner 11** [Wagner, Anne (is assistant professor in Sociology and Child and Family Studies at Nipissing University), and June Ying Yee. "Anti-oppression in higher education: Implicating neo-liberalism." Canadian Social Work Review/Revue canadienne de service social (2011): 89-105.]

Interestingly, **neoliberalism appears to be taking hold at a time when demands from** traditionally **marginalized groups are gaining momentum.** **As** barriers begin to be deconstructed and **racism begins to be debated openly** in various academic and community forums, **the response** of academia has been to **emphasize** issues of "excellence" and "meritocracy" and **the need to compete financially** for limited resources. As Smith (2010) notes, although **neolib**eralism acknowledges issues of gender equity, it **continues** to uphold the **liberal** myth of **colour blindness** (p. 48), thereby **negating** the salience of race and other **sources of systemic inequities. The focus on** purportedly neutral, standardized, individualized, and measurable **performance indicators** and measures **supports** an emphasis on **"merit," which** has historically **shroud**ed systemic forms of **discrimination** (Smith, 2010). In this way, **neolib**eralism **acts** as a tool **to retrench race-evasive discourses** of neutrality that posit "Whiteness" as a referential norm, **diverting attention from** the way in which such supposedly neutral standards and mechanisms fortify **existing systems of domination** (Dei, 2008, 2009; Razack, 2002)

#### Colorblindness is the root cause of many other forms of oppression.

Ferber 12, Abby (Prof. of Sociology, Univ. of Colorado, Colorado Springs) "The culture of privilege: Color‐blindness, postfeminism, and christonormativity." Journal of Social Issues 68.1 (2012): 63-77.

Color-blind racism assumes racial discrimination has ended, people are being treated in a color-blind fashion, and any differences we see in the success of racial groups is therefore due to inherent differences in the groups themselves. Colorblind ideology leads to the conclusion that we have done all we can. For many Whites, the election of Obama has been evoked to confirm their assumptions of a color-blind nation (Bonilla-Silva, 2010; Cunnigen & Bruce, 2010). Although many people naively embrace this view as non-racist, it reinforces and reproduces contemporary systemic racial inequality by denying its reality. These storylines “become part of the racial folklore and thus are shared, used, and believed by members of the dominant race. They are storylines because the words, phrases, and ideas used in these stories are very similar and seem scripted” (Bonilla-Silva, 2010, p. 70). These scripts are so ubiquitous that they are drawn upon to explain other forms of inequality as well. Color-blind racism needs to be examined from an intersectional perspective, making visible the ways it is connected and mutually constitutive of others ideologies of privilege. In the remainder of this article, I will examine discourses of oppression and privilege that rationalize male and Christian privilege, and argue that we must examine the ways in which these ideologies mirror color-blind racism, and reinforce one another. Postfeminism has emerged to justify and rationalize gender inequality, just as Christonormativity works to naturalize and protect Christian privilege. As Plaut argues, these cultural ideologies work together, therefore each one must be dismantled to advance the cause of social justice.

# More Offense

## Cards

#### Educational spaces are a uniquely key site to create activism.

**Sotiris 14** [Panagiotis Sotiris, Department of Sociology, University of the Aegean, “University movements as laboratories of counter-hegemony.” Aug 6, 2014.]

I believe, on the contrary that the concept, of the hegemonic apparatus enables us to think the strategic character of current transformations of the University, including commodification, entrepreneurialization and privatization, as aspects of a changing capitalist hegemony. **What is** being currently (re)**produced** in Higher Education **is not simply** the **dominant ideology** and the division between manual and mental labour, **but** crucial aspects of a **broader** class **strategy from** the part of the forces of **capital.** At the same time, this implies that also crucial aspects of the very materiality of social struggles and conflicts are ‘internalises’ within higher education. Therefore, such an approach can bring forward the many ways that class struggles transverse hegemonic apparatuses. Althusser’s self-critical insistence on the primacy of ‘class struggle over dominant ideology and over ideological apparatuses’ (Althusser 1995, p. 255) must be read in the more general sense of the primacy of struggles over the hegemonic function of apparatuses such as education, exactly what Poulantzas tried to theorize in his conception of the State as the material condensation of class relations of force (Poulantzas 2000).∂ Therefore, **thinking in terms of hegemonic apparatuses** can **help** us **think of the current role of Universities.** Universities do not simply produce knowledge or degrees. They do not simply help capitalist profitability in terms of applied research. They do not simply reproduce social divisions of labour and professional hierarchies. **Because of the increasing importance** of university-based or affiliated research and knowledge production for the development of new technologies, new forms of production and for the articulation of discourses and theories on contemporary issues and their role in the reproduction of state and business personnel, **universities** also act as strategic nodes in the development of class strategies (both dominant and subaltern), in the production of subjectivities, in the transformation of collective practices (Read 2009; Sotiris 2012) . **They affect “common sense**”, they disseminate forms of thinking, and they **act as paradigms of** successive **entrepreneurism** but **also** of successful **movements**. The evolution of mass Higher Education implies that **they affect a growing number** of the contemporary workforce, even if higher education does not necessarily lead to upward social mobility, in comparison to the past. That is why **struggles** within academic institutions **have to be studied in their relation to the broader** social and political **conjuncture.**

#### The university can be a key site to challenge neoliberalism.

Hamer 13 [Hamer**,** Jennifer (Professor Department of American Studies and Department of African and African-American Studies, University of Kansas), and Clarence Lang. "Race, structural violence, and the neoliberal university: The challenges of inhabitation." Critical Sociology 41.6 (2015): 897-912.]

To be effective, **we should** harness equity and **access to the work of fostering “insubordinate spaces” within the university that pedagogically disrupt neoliberal** consensus and **logics**, inspiring democratic imagination and **energizing democratic action against the manifestations of structural violence** in our midst. Inhabiting the work of racial, economic, and social justice involves challenging the political economy of academic austerity that shrinks full-time faculty and raises tuition while growing administrative bureaucracy, or that trades decently paid classroom instructors for highly salaried university executives. Inhabitation means building faculty organization among the tenured, untenured, and contingent alike, collectively asserting the need for meaningful shared governance with administration. **Occupying higher education includes pushing back against partnerships between our universities and private firms that outsource decision-making on curriculum** and hires. It involves building civic action around the declining accessibility of a higher education to the public, and crushing student loan debt. It means, moreover, openly questioning why universities would expect the corporate model to serve the interests of higher education when it has been a failure in practically every other arena from finance and housing markets to the environment. More fundamentally, inhabiting the academy necessitates constantly posing the question: higher education for what? Is it to serve as the 21st-century version of “manpower training”? In the best of circumstances, this approach is not ideal; but in a neoliberal political economy that actively manufactures scarcity and precariousness, the instrumental paradigm of education is not even sustainable. From our perspective, **education ultimately has to (re)envision** and (re)invigoratea humane social **contract**, one **that repudiates neoliberalism from branch to root. This entails protecting**, without apology, the liberal arts and sciences as a place where society can explore the human condition in all of its richness and complexity, creating lifelong thinkers and social problem solvers. Crucial to bolstering the humanities, too, is defending ethnic studies. This is not only an **academic space in which** a disproportionate number of racialized minority faculty members reside, but **it** also **provides a focal point of intellectual innovation**, cross-disciplinary collaboration, and public engagement that locates the life of the mind in the ongoing work of social responsibility. Despite the fact that ethnic studies practitioners continue to grapple mightily with the many dilemmas posed by its very incorporation into higher education, ethnic studies remains a compelling model of the progressively insurgent possibilities of the university (Biondi, 2014; Rogers, 2012; Rojas, 2010). From **these positions of collective strength** and purpose **in academe**, we may more meaningfully **join** with other mobilized constituencies**, both on campus and off, to build political projects for racial and economic justice.**

#### The best method of resisting capitalism is reforming and compromising with the current system instead of instantaneous revolution.

Alex Callinicos 06 (revolutionary). “Alternatives to Neo-liberalism.” Socialist Review. July 2006. http://www.socialistreview.org.uk/article.php?articlenumber=9793

The implication is that **any sustainable alternative** **to neo-liberalism** has to be based, not on the market, but on democratic planning. There are some models of how this could work. One is Albert's Parecon, or participatory economics. This involves an economy of workers' and consumers' councils in which individuals and enterprises submit proposals for their share of society's resources. Then a process of gradual adjustments (Albert calls them "iteration") takes place while technical experts come up with a plan that would give everyone as much as possible of what they want. The main weakness of this model is that it mimics a bit too closely the workings of a market economy, in which claims on resources are driven by individual demands. Albert is an anarchist, and his commitment to decentralisation here goes too far. The allocation of society's resources isn't a neutral technical issue. It's a political question that requires some sort of collective and democratic decision-making process to choose between what would often be competing views of the priorities of the society in question. From this perspective, the British left wing economist Pat Devine offers a superior model of what he calls negotiated coordination. Here the allocation of resources is largely the outcome of discussion between producers, consumers, and other affected groups, but within the framework of overall decisions about economic priorities made democratically at the national and international level. Plainly there is much more to be said � and, above all, to be done � about democratic planning. All the same, the importance of the kind of work being done by Albert, Devine, and others is that they begin to break down the prejudice against planning and to sketch out how an economy that rejected the market could manage to be both democratic and efficient. Fighting for power But any break with capitalism **couldn't take the form of an instantaneous leap into a fully planned economy.** Marx long ago argued in the*Critique of the Gotha Programme*that **a new workers' state** would inherit a society deeply marked by capitalism. Initially, it **would have to make compromises with the old order, and gradually move towards a society governed by the communist principle "From each according to their ability, to each according to their needs**!" Similarly today a society breaking with capitalism would need to make a decisive shift towards an economy in which priorities were decided democratically rather than left to the anarchy of competition. This would critically involve taking control of the financial markets, nationalising under workers' control key sectors of the economy, and extending social provision on the basis of a progressive tax system that distributed wealth and income from rich to poor. These measures, radical though they are, would still leave in place many aspects of a market economy. Large sectors would remain in private hands. Continuous pressure and the introduction of new measures would be necessary to move the economy as a whole towards the principles of democratic planning. One key step would be to weaken the power of the capitalist labour market, which today rules our lives. In my view, the best way to do this would be to introduce universal direct income. In other words, every resident of the country would receive, as of right, an income that met their basic needs at a relatively low but nevertheless decent level. This would serve two goals. First, it would ensure a basic level of welfare for everyone much more efficiently than existing systems of social provision people with greater needs because they had children or were disabled or whatever would receive a higher basic income. Secondly, having a guaranteed basic income would greatly reduce the pressure on people to accept whatever job was on offer on the labour market. One of the main presuppositions of capitalism that workers have no acceptable alternative to wage labour would be removed. The balance of power between labour and capital would shift towards the workers, irrespective of the nature of their employer. More broadly, the question of power is crucial. One obvious challenge to the kind of vision of change I have just sketched out is how to ensure that the direction of **change would be towards a democratically planned economy rather than** back to **market capitalism** or maybe to the kind of state capitalism that ended up dominating the Soviet Union. The only guarantee that counts is that levers of political power are in the hands of the workers themselves. **As long as the state takes the form that it does today** a bureaucratically organised, hierarchical set of apparatuses whose managers' interests are bound up with those of capital **any improvement in society can only be temporary and fragile.** This is why the strategy of ignoring the state advocated by Holloway and others is so foolish. **If we are to move towards a democratically planned economy**, then **the existing state has to be confronted and broken.**

#### Capitalism is very deeply ingrained in society, so only working within the system to curb its abuses can provide any meaningful change. Complete rejection is utopian at best and at worst furthers capitalist abuses.

John K. Wilson 2000, Institute for College Freedom, “How the Left can Win Arguments and Influence People,” 2000, p. 15-16

Capitalism is far too ingrained in American life to eliminate. If you go into the most impoverished areas of America, you will find that the **people** who live there are not seeking government control over factories or even more social welfare programs; they're hoping, usually in vain, for a fair chance to share in the capitalist wealth. The poor do not pray for socialism-they strive to be a part of the capitalist system. They **want jobs, they want to start businesses, and they want to make money and be successful.** What's wrong with America is not capitalism as a system but capitalism as a religion. **We worship the accumulation of wealth and treat** the horrible **inequality** between rich and poor **as if it were an act of God.** Worst of all, we allow the government to exacerbate the financial divide by favoring the wealthy: go anywhere in America, and compare a rich suburb with a poor town-the city services, schools, parks, and practically everything else will be better financed in the place populated by rich people. **The aim is not to overthrow capitalism but to overhaul it.** Give it a social-justice tune-up, make it more efficient, get the economic engine to hit on all cylinders for everybody, and stop putting out so many environmentally hazardous substances. To some people, this goal means selling out leftist ideals for the sake of capitalism. But **the right thrives on having an ineffective opposition.** The Revolutionary Communist Party helps stabilize the "free market" capitalist system by making it seem as if the only alternative to free-market capitalism is a return to Stalinism. **Prospective activists for change are** instead **channeled into pointless discussions about** the **revolution**arypotential of the proletariat. **Instead of working to persuade people to accept progressive ideas, the far left talks to itself**